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New York Sabbath Committee.
First five years of the
Sabbath reform 1857-62

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✓ New York Sabbath Committee

FIRST FIVE YEARS

OF THE

SABBATH REFORM,

1857-62.

WITH

Twenty Documents

OF

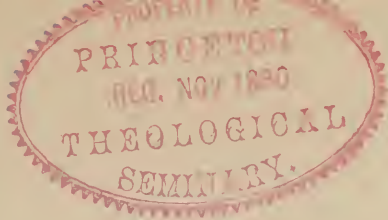
✓ THE NEW YORK SABBATH COMMITTEE.

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First Five Years of the Sabbath Reform.

LETTERS from associations and individuals in London, Boston, San Francisco and elsewhere, solicit more full information than has been given to the public as to the methods and results of the Sabbath Reform. These requests, and the fact of numerous concerted movements in Europe and America in the same direction, have prompted the preparation of this sketch of the New York Committee's five years' labors in behalf of the Sabbath. It does not assume to be a guide for defenders of the Sabbath in other communities and other lands; but, as a brief record of successful dealing with a difficult question, it may furnish not altogether valueless way-marks of Christian reform.

THE ORGANIZATION.

The fact and the form of the organization had mature consideration. Thoughtful men were alarmed at the rapid drift toward popular neglect or profanation of the sacred day. The city had assumed the proportions of a great metropolis, attracting vast numbers of European immigrants, and outstripping in its expansion the proportionate means of moral and religious culture. Demoralizing influences had fearfully multiplied, with no adequate counteraction or restraint. Public sentiment had been corrupted or perverted by a vicious press and party intrigue. The machinery of government had largely passed into the control of the classes contributing least to its support, and most interested in staying the administration of justice. Law had lost its wonted supremacy, and our self-governing institutions were fast losing their prestige and power. Material interests overshadowed and supplanted the moral and spiritual. The Sabbath became in many quarters, and among large classes of the city, the gala-day of the godless; the harvest-day of avarice; the high-day of vice and crime. It seemed a hopeless undertaking to rescue it from even the grossest abuses of its civil rights.

But there were those who had sufficiently studied the history and relations of the Sabbath to cherish and act on the conviction, that its loss would involve not only irreparable injury to all moral

and religious interests, but the inevitable sacrifice of our civil and social institutions. They had, indeed, to face the discouragements just alluded to, and the further circumstance that the repeated efforts to avert this and kindred evils, spasmodic and ill-judged as many of them were, had failed of their object, and only aggravated the disease they were meant to cure. This fact, however, rightly considered, was suited to inspire caution, energy and prayer. After years of reflection and consultation, a meeting of leading Christian citizens was convened, April 1, 1857, pursuant to the accompanying call;* the subject was discussed; and a "COMMITTEE to promote the better observance of the Sabbath" was appointed, consisting of about twenty members, connected with eight different Christian denominations.

The form of the organization has many practical advantages. It is simple, compact, and unostentatious. Without the prestige of numbers, and so without its embarrassments, it has none of the temptations of a "society" to undertake extreme and impracticable measures, regardless of that general public sentiment on which, under Providence, the power and success of all stable reforms must ultimately rest. So long as a "committee" conduct their enterprises in a spirit and on principles suited to enlist the confidence of all right-minded citizens, and with the manifest aim to promote the public welfare, the very paucity of numbers becomes an element of strength; for every good man may see that while a cause he approves is fitly *championed*, yet he, and all like him, must personally enter the ranks as the exigencies of the conflict demand his service. The Press, too, comes to lend a willing support to a just and important interest, when it has no "organ" to advocate questionable

NEW YORK, MARCH 28, 1857.

* DEAR SIR:—Unless measures are taken to stop the progress of Sabbath desecration in our city, there is danger that this sacred day will soon be, in a great degree, lost to us. It has been thought advisable to ask a few gentlemen to meet, with the view of considering what means shall be adopted to arrest this growing evil.

You are earnestly requested to attend a meeting for this purpose, at the Lecture Room of Dr. ALEXANDER'S Church, in 19th Street, near 5th Avenue, on Wednesday evening, April 1st.

HORACE HOLDEN,	S. B. SCHIEFFELIN,	A. R. WALSH,	E. M. KINGSLEY,
A. R. WETMORE,	A. G. PHELPS,	DAVID HOADLEY,	J. M. HALSTED,
C. R. ROBERT,	F. G. FOSTER,	F. S. WINSTON,	JOHN L. MASON,
C. N. TALBOT,	FRANCIS HALL,	WM. H. SMITH,	NORMAN WHITE,
ROBERT L. STUART,	J. M. MORRISON,	JASPER CORNING,	OLIVER WOOD,
WM. A. BOOTH,	C. O. HALSTED,	L. KIRBY,	JAMES SUYDAM,
HENRY YOUNG,	WM. E. DODGE,	B. F. BUTLER,	ROBERT CARTER,
GEO. D. PHELPS,	WILLIAM WALKER,	A. P. HALSEY,	C. P. KIRKLAND,
T. C. DOREMUS,	WM. WINTERTON,	W. C. GILMAN,	OLIVER H. LEE.
JOHN H. EMBLE,	J. B. SHEFFIELD,		

or exclusive theories, and no aims beyond the well-being of the great community for whose benefit both profess to labor.

The *lay*-feature of the Committee was adopted and has been perpetuated for obvious reasons. The primary objects of the movement having respect to the invasions of the civil Sabbath, *civilians* seemed best suited to promote them. The single fact that active business-men turn aside from their pressing avocations and devote time and influence and wealth to the suppression of offences so glaring as to require the intervention of the magistracy, of itself tends to disentangle the Sabbath Question from its chief embarrassment, and to define its civil relations as distinguished from its religious obligations so clearly as to baffle the unscrupulous enemies and invaders of both its civil and sacred sanctions. And we have yet to learn that any of our honored and hard-working pastors undervalue or would discourage the active coöperation of prudent laymen in this and kindred Christian enterprises "too heavy" for their own over-burdened hands. Rather would they adopt the prayer of Moses: "Would God all the Lord's people were prophets!" It is quite certain that the manifold relations of this enterprise to civil authorities, legislative, judicial and executive, as well as to the general public, have been freed from complication and prejudice by the fact that its interests were directed by Christian citizens chosen from secular callings.

INVESTIGATION.

The first step taken by the Committee was a *reconnoissance*. The mere general fact of neglected or abused Sabbaths seemed an inadequate basis for reformatory action. A census of Sunday traffic, developed the fact that nearly ten thousand (9,692) places of business including more than five thousand dram-shops (5,385,) were open to the public. Places of public amusement were personally inspected by members of the Committee—sometimes at the peril of life—at which thousands of men, women and children were gathered on the Lord's day for purposes of diversion, dissipation and sin. Let it suffice, without repeating the revelations in "The Sabbath as it was and as it is" (No. I.) and in other documents of the Committee, that the more thorough and extended the inquiry, the deeper and more painful became the conviction of the prevalent and formidable character of the evils to be encountered. They had existed so long almost without rebuke; they were so intrenched in the avarice of some classes and in the love of sensual pleasure in others; they were so strengthened by Old World training and prejudices, and were pandered to so industriously by the German and English Sunday

Press; and ignorance or indifference as to their nature and extent were so profound on the part of the Sabbath-keeping community, that exposure and reformation seemed to border on the chimerical if not the impossible.

It may be added, as illustrating the position of things five years ago, that laws protecting the Sabbath had been, for a quarter of a century at least, practically obsolete; that the police department was in a chaotic state—in the change from the Municipal to the Metropolitan *regime*; that the judicial and municipal officers were largely the candidates of the Sunday liquor interest; and that the commercial crisis of '57 came upon the city like a tempest the very month of the completed organization for this movement. And it will thus be seen that few enterprises could encounter more disheartening circumstances, or more demand faith, prudence and zeal on the part of their managers.

MODES OF ACTION.

The grand aim of the Reform being to correct and arouse public sentiment as to the claims and perils of the Sabbath, the three principal agencies for this purpose—the Pulpit, the Press and Personal influence—have been enlisted in such measure as seemed best calculated to secure the desired result.

The incipient plans of the Committee were laid before a meeting of more than one hundred of the *Clergy* of the city, and received their unanimous sanction in a series of Resolutions that will live in the literature of the Sabbath while Sabbaths last. Not far from one hundred sermons on the subject were simultaneously preached, soon after, on the invitation of the Committee. Recently, a series of sermons by Pastors of six denominations, before thronged assemblies, has tended to deepen the conviction of the authority and value of the Sabbath and of the importance of measures for its sanctification. And throughout the reform, the counsel and coöperation of the ministry have been cordially given and most highly prized.

But, valuable as has been the aid of the Pulpit, the coöperation of the *Press* has been invaluable in effecting the revolution in general public sentiment which laid the foundation for successful practical reforms. There was a manifest propriety in the discussion of questions of public order and morality as related to the invasion of the national day of rest and worship by journals whose columns are pledged to truth and virtue. Without fee or reward, other than the approbation of a good conscience and the plaudits of their readers, the leading daily newspapers of the city have advocated and defended all the prominent measures inaugurated by the Committee with

an ability and good temper that carried conviction to the public mind, and with such unity as paralyzed interested and factious opposition. Every attempt of the enemies of the Sabbath to complicate the Sabbath question with party politics—and many have been made—has been rebuked by the honest press of all parties. Besides the intrinsic value of this coöperation, it more than neutralised the persistent and shameless opposition of the Sunday Press and its allies. More than once it silenced the atheism and licentiousness of the German Press. The Weekly Religious Press, it scarcely need be said, has lent an *almost* unanimous and most cordial support to this movement. In reviewing the whole course of the Sabbath Reform, it is obvious that its manifold successes and its present vantage-ground are intimately related to the fact that nearly one hundred millions of copies of New York newspapers have borne to their readers articles friendly to the restoration and conservation of our civil Sabbath.

The official communications of the Committee have been confined to their series of "*Documents.*" Facts and arguments have been embodied relating to the particular measure in hand, addressed to the reason and conscience of thoughtful citizens—studiously avoiding appeals to passion or prejudice, and leaving to their proper realm those disputed questions of ethics and theology about which there may be honest differences of opinion. A monopoly of vituperation and personal abuse has been left to the enemies of the Sabbath, and a tone of moderation and forbearance has been aimed at consistent with the humane and sacred objects contemplated. The gratifying fact that none of the twenty official papers of the Committee have been subjected to unfriendly criticism attests the public appreciation of this policy, and is grateful to those who have deliberately chosen it irrespective of the precedents of modern reforms.

The distribution of the Committee's documents has varied from 2,000 to 10,000 or 20,000 copies severally, as the issues have required. They have been placed gratuitously in the hands of influential citizens, public officers, editors, clergymen, etc. Three important documents in the German language have been circulated by thousands through the missionary employed by the Committee among the Germans, and among German pastors and editors; and several hundred copies have been sent to leading men in Germany. "Railroads and the Sabbath" (No. 2.) was directed to thousands of directors and employes of Railway companies. "The Broderic Sunday pageant" (No. 10.) was sent to 4,000 firemen. "The Sabbath and the Pulpit" (No. 20.) was mailed to nearly 5,000 clergymen. "The Plea for the Sabbath in War" (No. 19.) was addressed to all

the officers of Government, and to as many military officers as could be reached with certainty; and packages were sent for the supply of all the regiments in the army of the Potomac. After the noble Sabbath Order of Gen. McClellan was issued, the Committee requested the American Tract Society to publish it in connection with Washington's order respecting the Sabbath and Profane Swearing; and 30,000 copies in English and 24,000 in German have been distributed in the army, at the joint expense of the two associations, besides some 50,000 copies through the channels of the Tract Society separately.

The object of all these movements has been the creation of an intelligent, healthful sentiment friendly to a due observance of the Sabbath. This done, it was believed, and has been demonstrated, that specific reforms would work themselves out with little direct effort. Whoever may attempt the reverse order, and seek to carry out reformatory schemes in the face of an indifferent or hostile public sentiment, may expect disaster and defeat.

It remains to notice the third element of influence—*personal exertion*. In its very nature secluded from public observation, little can properly be said of its methods or results. There is reason to believe that it has not been the least effective of the agencies employed. In needful investigations and explorations; in personal conferences with the conductors of the Press, public authorities, and legislative committees; in procuring signatures to memorials; in securing the passage of wholesome laws, or defending them when assailed; in providing adequate funds without public appeals of any sort therefor, and in the careful direction of every branch of an expanding enterprise, the several members of the Committee have cheerfully devoted no inconsiderable amount of time and effort to an object worthy of the sacrifice: with abundant proofs, that, under the blessing of the Most High, they have not labored in vain nor spent their strength for naught.

SPECIFIC MEASURES AND RESULTS.

When the Committee began their labors, they anticipated years of preliminary effort before it would be expedient to attempt specific reforms. The promptness of the recoil from the abuses and dangers brought to light in the early papers of the Committee, induced a speedier attempt than had been purposed to restrain some of the more offensive forms of Sabbath profanation. Beginning with those which admitted of no apology or defence at the bar of public opin-

ion, the several issues made by the Committee may be classified as follows :

1. *Offences against the Public Peace and Order.*
2. *Invasions of Public Morals.*
3. *Protection of the Sabbath in War.*
4. *Promotion of the general Sabbath Reform.*

A brief statement of the leading facts in the history of these several movements will illustrate the policy of the Committee and the results of their labors.

1. OFFENCES AGAINST THE PUBLIC PEACE AND ORDER.

Of this class the *Sunday news-crying* nuisance was the most obtrusive and least defensible. It had, indeed, gained a foot-hold, by a quarter of a century of unmanly toleration, strong enough to secure for it the immunity of extra-judicial sanction: for the then Recorder of the city went out of his way to protect the "poor friendless boys" who were hawking "a public necessity," and to assure the Grand Jury that he "didn't think much of Sunday Laws—which were well enough as abstract morality, but altogether too slow for the age!" The Sunday papers defended the nuisance most pertinaciously—some of them having *Daily* issues—with the evident purpose of driving from the field of discussion and reform any body of men bold enough to interfere with their prescriptive monopoly of traffic and noise on the Lord's Day. So violent was this onslaught that one of the Editors of the Sunday ——— felt constrained to protest against it as having "its origin in the unquiet minds of two or three degraded and depraved individuals, who have most unworthily worn the vestments of the priesthood, and who now seek popular preferment by pandering to the passions and the lusts of the very worst classes of society;" and he proceeds to declare: "I am totally misrepresented by the Press of which I am Editor, and which through some, to me, unexplained means, has been made the *organ of folly, falsehood, and ribaldry.*"

The only public measure resorted to, after the scornful treatment of a respectful remonstrance addressed to the several Proprietors of the Sunday newspapers, was the preparation and presentation of a "Memorial against the crying of newspapers on Sunday" "to the Mayor and Police Commissioners," on the grounds that it was a school of vice to the newsboys; that their evil example was disastrous to the children of the city; that it was an unwarrantable monopoly of traffic; that it invaded the claims of courtesy and good neighborhood, and that thus it was a violation of the rights of good

citizens. This memorial received the signatures of a hundred or more of our most prominent citizens. The Commissioners immediately issued an order for the suppression of the evil. The Sunday papers counselled resistance and threatened vengeance. But after a few months of persevering but forbearing effort, the nuisance was wholly abated, and is now remembered only with a feeling of surprise that a civilized and a Christian community should have so long endured so gross an outrage.

The Broderic Sunday Pageant furnished another occasion for testing the strength of the public sentiment on this question. The programme for this sham-funeral proposed to marshal the whole Fire Department, some 4,000 strong, with banners, bands of music, and all the paraphernalia of a popular pageant on the Sabbath. It was postponed from week to week on account of storms, but notwithstanding the remonstrances of the Press, was always set down for *Sunday*. This precedent seemed needless and impertinent. A Protest against this abuse of the Sabbath, with 550 signatures, was presented to the officers of the Department and sent to the Foremen of 160 Fire Companies; and when it was determined to disregard it, the Protest was inserted in all our Public Journals. The issue was fairly joined. The result proved that Sunday Pageants are at a discount in our city. The entire procession numbered 541—not half of whom were firemen; and their long march through our streets was but a lugubrious advertisement of the failure of their boasted display. There has been no repetition of the wrong.

The attempt to pervert the *Central Park* into a Sunday holiday arena compelled the Committee's attention. The entering wedge was very small—only Pleasure-boats on the Lakes, licensed carriages for Sunday drives, Refreshment-houses for Sunday visitors, and like provisions for a European rather than an American use of those magnificent public grounds. The danger of the formal authorization of this insidious beginning of evil was more imminent than the public were aware. The Committee addressed a respectful Letter to the Commissioners, claiming that the entire Sabbath arrangements of the Park should be such as neither to offend nor corrupt the public conscience: and urging the necessity of adopting such a principle, as a bar to innumerable perversions; as alone consistent with the spirit of our laws and institutions; as simply just and equal to all citizens and tax-payers; as preventing the popular demoralization uniformly attending Sunday license, and as due to the rights and feelings of the *Christian* community. This Letter was given to the newspaper Press, and was generally accepted as a just and temperate exposition of a perplexing question. It is believed that it ex-

pressed the views substantially of a majority of the worthy Commissioners of the Park, and that there will be no deviation from the principles suggested in the regulations for the enjoyment of that costly and invaluable place of public recreation.

2. INVASIONS OF PUBLIC MORALS.

Far more formidable issues presented themselves as the reform advanced. Systems of evil overspread the city, vast enough in their proportions to discourage the hope of their overthrow. Some of them remain unrebuked: others have been subjected to the restraints of law and public opinion. The most prominent of the latter has been the *Sunday Liquor Traffic*. Availing itself of the full pockets and idle time of the laboring classes, Sunday was the harvest-day of the Dram-shops—and of the Prisons.

After months of consultation and investigation, the Committee spread the results of their inquiries before the public in a temperate paper, (No. 5,) showing the extent and accessories of the Sunday Traffic in liquor, and its illegality; urging its suppression on the ground that it engenders Pauperism, crime, lawlessness and irreligion; and suggesting adequate Remedies. The subject was earnestly discussed by the secular, religious and Sunday Press for several months. Public sentiment rapidly ripened into determined hostility against a selfish and demoralizing business, and obviously demanded the intervention of the Magistracy. At length the Committee embodied the views of good citizens in a Memorial to the Board of Commissioners of the Metropolitan Police, asking for Protection and Relief, which speedily had some six hundred signatures of a character to indicate the readiness of the entire body of our respectable population to append their names, if requested. A counter-memorial, German and English, received some 1,200 signatures, and was presented by a deputation of anti-Sunday "clergymen;" but, five-sixths of the names could not be found in the Directory, or were set down as Liquor-dealers, seagarsellers and other parties in interest! The Commissioners unanimously passed a series of pertinent resolutions, the fifth of which took the ground "That present abuses in disregarding the Sunday laws, particularly in public exhibitions on Sundays, and trafficking in liquors and other like things, should, so far as the law allows, be prevented by the whole power of the police force and the magistracy." This action was followed by a General Order of Superintendent Pilsbury to the Captains of Precincts, "instructing the members of their commands to see that all places where intoxicating liquors are publicly kept or sold on Sunday shall be closed in future on that day."

From that time (Aug. 1859) to the present, the contest has continued between the Police authorities under the successive administrations and the Sunday Liquor Dealers, with multiform attempts at evasion or resistance, but with increasing vigor and success. Finding that the accumulation of complaints to the number of more than 30,000 in the office of the District Attorney failed to deter the violators of law, the Police were instructed to make arrests of offenders. When magistrates interposed to discharge their friends from arrest, they were properly restrained from unlawful interference. And when Sunday courts were held open for the express purpose of facilitating the discharge of Sunday law-breakers, arrests were deferred till the evening, so as to secure at least a night of reflection in the station-house on the conduct of the day. Many of the Sunday dealers are known to prosecute their business still through side-entrances and back-doors; but as a public system, the traffic in liquors on the Sabbath is substantially overthrown.

The results as affecting public morals are worthy the attention of political economists as well as of the friends of the Sabbath. Contrasted with the period preceding the effort for the Suppression of Sunday Liquor selling, the following statistics tell the instructive story:

The arrests for intoxication, disorder and crime, on Sunday, during eighteen months of the period —1857-58—preceding the agitation of the Sunday Liquor Question, exceeded those of *Tuesday* (taken as the average of the week-days) by TWENTY-FIVE PER CENT., as officially reported.

But the statistics of the Police Department show that during the following eighteen months *the Tuesday's arrests exceeded those of the Sunday's* by FIFTY PER CENT., or a relative change of seventy-five per cent. The comparison of the actual results with those which would have followed had the Sunday Liquor Traffic continued without restraint, will show a saving of nearly 9,000 cases of vice and crime on the Sundays of eighteen months, as the fruits of this beneficent reform.

In the charge to the Grand Jury of the Court of General Sessions for March, 1862, the Judge stated the gratifying fact—illustrative of the remark that “the criminal statistics of New York compared favorably with those of any city in the world,”—that there were now but *fifty* criminal cases on the calendar for trial, against *two hundred and seventy-five* at the corresponding term one year ago.

The Sunday Theatres and Beer Gardens, by skillfully evading the then existing laws, profited for a time by the closing of the Sunday dram-shops. Intrenching themselves in quarters of the city chiefly

inhabited by German immigrants; advertising in German papers under the title of "*Sacred Concerts*," and having their performances in a foreign language, they had become a demoralizing agency of fearful proportions, almost without the knowledge of the American population. At least a score of these places were open to the public, and were crowded by men, women, and children every Sunday, with every conceivable appliance of sensual diversion, from comedy, tragedy, songs, dancing, acrobatic sports on the stage, to gambling, drinking, billiard-playing, bowling, shooting, and fighting in the auditorium and lobbies. Many of them were known houses of assignation and prostitution. The repeated attempts to bring this system under the decent restraints of the theatre law were nugatory. It defied the officers of justice, and outraged the rights of society. Depending confessedly on its Sunday profits for support, its managers combined to defeat all attempts to bring the system within the restraints of law and public sentiment.

The nature and extent of this evil were exposed in a pamphlet of 24 pages (Document No. 11), discussing the claims of foreigners to immunity for their vices, and vindicating the constitutional right of our legislature to restrain the abuses of our civil Sabbath, whether by native or foreign-born citizens. The discussion became general and animated between the organs of American sentiment and the German press, with their natural allies, the Sunday papers in English. The latter assumed the position that the Sunday Beer Garden system was supported by the *entire* German population, and thus sought to impose upon political parties the idea that restraint of their "national customs" would involve the united hostility of that nationality. The large and respectable class of orderly and Christian Germans resented this imputation. An immense gathering in Cooper Institute avowed their attachment to the laws and institutions of their adopted country; protesting "against the perversion of Sunday" by a portion of their countrymen, as "bringing dishonor on the German name;" and approving the Sunday laws "as one of the strongest guarantees of our free institutions, as a wholesome check upon licentiousness and dissipation, and as a preventive of the pauperism and crime which must necessarily undermine and ultimately destroy the liberty of any people."

Our Sunday laws enacted fifty years ago did not contemplate such formidable offences as were found to exist among a large emigrant population; and it became necessary to seek the enactment of a statute more adequate to their suppression. The Sunday-Theatre Act of 1860 encountered the most virulent opposition. The theatre, brewing, and lager beer interests formed associations to resist the

passage or enforcement of the law, raising funds and levying a tariff on the Sunday sales of lager for this purpose. Numerous delegations visited Albany, and paid agents were kept there to prevent the success of the measure. The proceeds of theatrical "benefits" were devoted to the same object. A German petition for the repeal of *all* Sunday laws, and remonstrance against the theatre law—claiming to have from 10,000 to 100,000 signatures—had 4,805 names appended to it; but of the first 317 names claiming to be "citizens of the city of New York," only 11 were found in the City Directory, and 5 of these were saloon-keepers and grocers! The respectable Germans rallied and sent a counter-petition, numerously signed. The act became a law in April, 1860. The theatre proprietors generally defied the law, and continued to violate it—some of them openly, and one or two under the sham of a "*Shaker Congregation.*" The police authorities made frequent arrests—mostly on the day succeeding the offence. The counsel of the "House of Refuge," charged with the enforcement of the civil penalty, proceeded by suits and injunction orders to enforce the provisions of the act, and was soon face to face with parties who had long trifled with all the laws regulating theatrical amusements. In every suit he was successful. In every court where the question was raised, the constitutionality of the act, though contested by the ablest legal talent, was affirmed. Meanwhile, the criminal suits matured, and the leading offender was convicted before a jury. The appeal to the General Term of the Supreme Court resulted in the memorable decision of Judges Clarke, Sutherland, and Allen, sustaining the constitutionality of laws protecting the civil Sabbath. (See Doc. No. XVIII.) The result of this protracted contest has been the subjection to law of the most persistent and notorious offenders; the settlement of the principle that foreigners coming among us are to respect and obey the laws they find here, until they are regularly changed; and the vindication of our constitution from the sophisms of sceptical and lawless classes.

A vigorous onset was made on the legislature of 1861, to effect the repeal of the Sunday theatre act. Large sums of money were raised and expended for this purpose. Several meetings were held on Sunday, in Sunday theatres, to denounce the Sabbath and all laws for its protection, which were addressed by ex-"clergymen," actors, and other defenders of "liberty," amidst the fumes of lager and tobacco, and the profane babblings of an infidel throng. Petitions for the abrogation of all Sunday laws, boasting 25,000 signatures, but containing fewer names in fact than the aggregate number of lager and liquor sellers in New York—three-fourths of them

all being *bogus*—were sent to Albany. It was not deemed needful to agitate the public or invite signatures to remonstrances. All that was done was to appear before the committee having the matter in charge, furnish information to the legislature as to the working of the law, and invite a meeting of Germans in Cooper Institute. An enthusiastic gathering of some 3,000 of them gave the legislature and the public to understand that Sunday beer gardens were doomed by Germans themselves. Nevertheless, the committee on cities and villages, with a majority of its members from New York and Brooklyn, reported a bill authorizing the sale of malt liquors on Sunday and on all other days of the week. The minority of the committee, through the Hon. Mr. Ball of Rensselaer, presented an elaborate report against this and all Sunday license. The result was the defeat of the anti-Sunday scheme by a vote of 74 to 23—no less than 18 of the minority *representing* New York City and its vicinity. No subsequent effort has been made to disturb our Sunday laws.

3. PROTECTION OF THE SABBATH IN WAR.

The stirring events of our unhappy civil war involved new and imminent perils to the Sabbath and related interests. What with necessary inroads on the quiet and order of a time of peace, and the license regarded as almost inseparable from a state of war, the most serious apprehensions were entertained that the barriers of law and public sentiment so happily restored, in a good degree, might give way before the pressure of this novel influence. For a time, the Sabbath seemed to be the chosen day for the movement and display of troops. Regiment after regiment, enlisted in this city, and from other States, marched the length of the city, and embarked for the seat of war on Sunday, calling our idle population, young and old, by tens of thousands to witness the pageant. The Committee saw the drift of things with pain, but deemed it prudent to forego remonstrance until the public mind should resume something of calmness; when a brief appeal—“*Sabbath in War*”—was made to the public and to our municipal authorities, which had a ready response from the press and the people. Various incipient abuses were effectually checked by the police. The arrangements for forwarding troops were modified so as to leave the Sabbath mostly undisturbed—Adjutant-General Hillhouse omitting the Sabbath wholly from the programme which started a regiment for the seat of war each day for a period of some three weeks. The metropolis soon regained its wonted order and quiet, and has passed thus far through a period of war with steadily *diminishing* lawlessness and crime.

Meanwhile, the movements of our troops at the seat of war be-

came notoriously and needlessly defiant of the claims of the Sabbath. Nearly all the engagements of the three-months' volunteers were on Sunday—and their last humiliating defeat before Manassas was in a Sunday battle. The Christian sentiment of the country was outraged, and expressed itself in calm, sorrowful protest. The Committee, though contemplating chiefly local reforms in its organization, felt constrained to embody what they thought to be just and temperate views on the relations of the Sabbath to the war—see “*Plea for the Sabbath in War*,” Doc. No. 19—which they gave to the press, and sent in Pamphlet form to the officers of government, civil and military,—thousands of copies having been placed in the hands of line and company officers and soldiers. The copy addressed to the newly-appointed Major-General commanding on the Potomac was accompanied by a private note, August 30, from one who “claimed more than a mere patriot’s interest in his public career;” and expressing the conviction that “no single act would be more potent in conciliating and binding to himself the moral and religious element of the North, or more stimulate and reassure the Christian patriotism of the country, than one that should link his name with a restored Sabbath for the army and the nation.” On the 6th of September, that memorable general order for the protection of the *rights* of soldiers and citizens to their Sabbath, which may be considered as the most signal moral incident of the war, issued from the cool brain and warm heart of General McClellan: and in a week’s time it flew from camp to camp, and from heart to heart, throughout the loyal states; inspiring hope and faith and zeal for a cause thus redeemed from association with impiety; and inaugurating the new *regime* of discipline, sobriety, patience and energy, under which, with the blessing of the Most High, our armies are gaining victory and renown.

4. PROMOTION OF THE GENERAL SABBATH REFORM.

The reäction in favor of the Sabbath from the repeated disasters to our arms in needless Sunday battles, and in connection with the noble utterances of the new General-in-Chief, providentially gave national proportions to a movement which had been chiefly local. The time had apparently arrived for inviting the coöperation of the friends of the Sabbath throughout the country in the effort to restore its foundations and restrain its invaders. Especially did the juncture seem favorable for the discussion of the great principles of divine and human legislation on which the Sabbath is based, whether in its sacred or civil relations. With this view the Committee issued their Circular Letter to the clergy—“*The*

Sabbath and the Pulpit," Doc. No. XX.—of which some 5,000 copies were mailed to pastors, besides its newspaper circulation. Numerous responses have been received to this Letter, and a more general discussion has been given to the Sabbath Question by the Pulpit than perhaps ever before.

In accordance with this general design, the Committee arranged for a series of Sermons on the Sabbath, on successive Sunday evenings, which has been eminently successful and useful. The Rev. Drs. Rice, Hague, Ganse, Adams, Foster and Vinton—Pastors of Old- and New-School Presbyterian, Baptist, Reformed Dutch, Methodist and Episcopal churches—have delivered able and instructive Discourses to immense congregations, on the Origin, History, Authority, Duties, Abuses and Civil Relations of the Christian Sabbath. Newspaper reports of these sermons have gone forth to thousands of clergymen and tens of thousands of Christian readers, encouraging the faith, and stimulating the zeal of all; and the MESSRS. CARTER now have the series in press.

The Committee have aimed to keep the active friends of the Sabbath in various parts of this country and in Europe apprised of the progress of the Reform with which they were charged. Their Documents have been widely dispersed. Those in German have been sent in large numbers to leading Christians on the Continent. It is with unfeigned gratification that they observe a steady and healthful advance in Sabbath sentiment throughout our country and in the Old World. Among other indications, we may note the energetic and successful movements in California for the enactment and enforcement of Sunday Laws; similar efforts in Nevada; the organization of Sabbath Defence Committees in various cities, and the wide discussion of the subject in the Pulpit and by the Press. In Great Britain, unwonted attention is given to the suppression of Sabbath profanations; and on the Continent, the proceedings at the Geneva meeting of the "Evangelical Alliance" have led to the organization of efficient Sabbath Associations in Switzerland and elsewhere, with the promise of fruitful results. It may be that the providential prominence given to the Sabbath in our national humiliations and triumphs, may serve to hold it up to the world with new impressiveness as inseparably associated with order, law, liberty and religion: so that a restored Union and a recovered Sabbath may together vindicate the principles and illustrate the conditions of self-governing institutions to the nations of the earth.

The *future* of this reform is committed to the ordering of the same Divine Hand whose gracious leading we have had occasion to seek and recognize in the past. So long as selfishness and sin exist,

and in the measure of their power, will there be occasion for vigilant effort to guard an institution whose sacred claims cross their pathway every recurring seventh day. Only when the light of the Sabbath of Paradise, Sinai and Calvary shall be hailed with reverence and gratitude by an obedient, Sabbath-keeping, Christian nation, will our work, and that of our successors, be done.

NORMAN WHITE, *Chairman.*

HENRY J. BAKER,
E. L. BEADLE, M. D.,
NATHAN BISHOP,
WILLIAM A. BOOTH,
ROBERT CARTER,
THOMAS C. DOREMUS,
JNO. ELLIOTT,
FRED. G. FOSTER,
DAVID HOADLEY,
HORACE HOLDEN,

JNO. E. PARSONS,
GUSTAV SCHWAB,
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WILLIAM TRUSLOW,
W. F. VAN WAGENEN,
WILLIAM WALKER,
F. S. WINSTON,
O. E. WOOD,

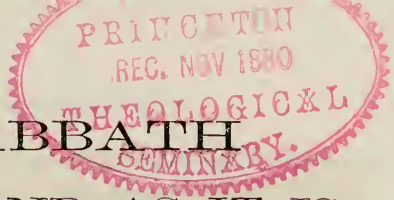
} *Sabbath Committee.*

JAMES W. BEEKMAN, *Recording Secretary.*

RUSSELL S. COOK, *Corresponding Secretary.*

J. M. MORRISON, (President of Manhattan Bank,) *Treasurer.*

Office of the Sabbath Committee, 21 BIBLE HOUSE, NEW YORK.



THE SABBATH

AS IT WAS AND AS IT IS.

Our ancestors loved the Christian Sabbath. In the days of the first Dutch colony of "New Amsterdam," as early as 1647-8, Peter Stuyvesant, Director-General, issued Proclamations and Decrees against the invasion of "the Lord's Day of rest," "to the great annoyance of the neighborhood, and to the dishonoring of God's holy laws and commandments, which enjoin upon us to honor and sanctify Him on this holy day of rest." One of the earliest Acts of the "General Assembly of the [English] colony of New York," in 1695, was one entitled, "An Act against the Prophanation of the Lord's Day, called Sunday."

In 1813 the Legislature of this State passed Laws protecting the Sabbath, based on the colonial act of 1695; and they remain in the Revised Statutes. The Metropolitan Police Act prohibits the sale of any intoxicating liquors on Sunday, under a penalty of \$50. These are State laws.

During forty years, from 1797 to 1834, concurrent *municipal* ordinances were enacted, of a stringent character. They were revised and reënacted in 1803, '5, '7, '12, '17, '21, '23 and '27. But in 1834 *they suddenly disappeared from our municipal Statute Book*, and have ceased to exist! If they were deemed wise and necessary in addition to State legislation, during a long period when our population did not exceed 50,000 or 100,000, was their repeal called for when the city contained half a million souls? Does the present state of public morals indicate the wisdom of lessening the restraints of wholesome legislation? One of the most eminent jurists, now on the Bench of the Supreme Court of the United States, has said, "Where there is no Christian Sabbath, there is no Christian morality; and without this, free government cannot long be sustained."

The facts as to the "existing desecration" of the Lord's Day, are sufficiently obvious to all. That they are not more commonly noticed and commented on arises from familiarity with sounds and scenes which would once have offended the eye and pained the ear. The violation of divine laws is so frequent and constant that it almost ceases to move us. It is true that the more respectable

business classes suspend their ordinary avocations on the Sabbath, and our banks, insurance offices, commission and jobbing houses, and nearly all respectable firms close their places of business. It is also true that the sailing of vessels on the Lord's Day is less frequent than in former years. Perhaps a fifth or sixth part of the population repair to some place of public worship, and thousands of Christian families in their retirement seek to improve and enjoy the Sabbath hours.

Meanwhile, steamboats are arriving and departing; Sunday excursions by steamboat and railway carry a depraving influence into and through suburban villages; groceries and other shops by thousands pursue their wonted traffic; dance-houses contribute to the guilty pleasure of the godless; public gardens, with target-shooting, gambling, drinking, and bands of music attract crowds to their haunts; and in these and numberless other ways the day of holy rest is turned into a saturnalia.

Of the many specific facts which have come to the knowledge of the Committee, showing the disregard of sacred time, they cite a few—not to reproach particular offenders, but as illustrations of a lamentable declension in this branch of public morals.

It is understood that one or more of our principal lines of ocean steamers have been accustomed to make their trial trips at such times as to include the Christian Sabbath.

Some of our large foundries and machine shops, employing many workmen, are known to continue their business on the Sabbath in active seasons; and the repairs and changes of machinery in ocean and river steamers are frequently, if not commonly, made on Sunday. The very week of the preparation of this Report, a mechanic applying for admission to one of our churches, represented that he had been turned out of employment in one of these establishments, because of his refusal to work on the Sabbath.

Many of our sugar refineries make their repairs on the Lord's Day; and other manufacturing establishments, like cabinet makers' shops, tobacco factories, &c., especially those under the control of foreign masters or capitalists, do not cease work on that day.

Some printing establishments do not scruple to occupy a part of the Sabbath hours, needlessly it is believed, in carrying forward their business. The fact that all do not is a proof that it cannot be indispensably necessary for any.

Of the issues of the Sunday press, and the methods of distribution, we speak elsewhere. We would only allude here to the

questionable consistency of supporting this form of desecration, by the advertising patronage of Christian men and Christian firms.

Sunday funerals, accompanied by military pageants, and bands of music, are not infrequent, and are the cause of just offence to Sabbath-loving citizens, and would seem to be a gratuitous disturbance of domestic quiet and of public worship.

Fire and Target companies sometimes select the Sabbath for their parades. Recently a Fire Engine company, attended by a band of music, marched through various streets on Sunday, at the time of assembling for Divine service, and paraded in line on Broadway, in front of a Daguerrean gallery, employing the light of heaven on the day of God, to perpetuate the memorial of their profane act.

A public garden has recently been opened at Rhinelanders' Point, near "Hell Gate," which draws thousands in the summer season to its haunts, who spend the Sunday in drinking, target firing, and sports of various kinds, after the manner of continental cities. In one instance, a neighbor estimated the gathering at twenty thousand, chiefly Germans.

But these profanations are not confined to the less informed or emigrant population. "The Academy of Music" has resounded, Sunday night after Sunday night, with "overtures" and "caprice fantasias" and the applause of thoughtless throngs, who shelter themselves under the pretext of attendance on "Sacred Oratorios." Theatres have also opened their doors for "sacred" performances on Sunday night. Eighteen such "sacred concerts" were given on a single Sabbath in June last.

But without extending these illustrations, the Committee present some statistical facts, the result of a careful investigation by gentlemen engaged in the City Tract Mission, made at the request of your Committee in June last, which should command profound attention. They reveal a measure of profanation of the Christian Sabbath at which we are astounded. They are as follows:

Number of Shops, &c., open on a single Sabbath.

Restaurants,	437
Pawnbrokers' Shops,	26
Policy and Exchange Offices,	34
Daguerrean Galleries,	54
Confectionary and Segar Stores,	1,234
Sabbath Concerts,	18
Dance-houses and places of amusement,	85
Dry Goods and kindred stores,	2,419
Groceries,	1,977
Liquor Shops and Drinking Saloons,	3,408
Total,	9,692

Making a total of 9,692 places of business and amusement engaged in their ordinary and mostly destructive traffic on the Lord's day, or about one place to every 65 of the entire population. If the average be estimated at 20 of the frequenters and customers of those concerns, it will make nearly 200,000 of our population who may be classed as Sabbath-breakers, and patrons of Sabbath-breakers.

Comment would only weaken the force of this appalling statement, and we leave it, with all its awful significance, for the study of the friends of sound morals and pure religion.

The remaining topic of inquiry assigned to the Committee, as to the "causes of declension" in Sabbath observance, opens a wide and important field of investigation. Only the more prominent influences leading to this result can be noticed. Among these, the most radical and comprehensive will be found to be

Selfishness and Worldliness.—Men in all branches of business pursue their avocations with almost insane intensity. With the success and expansion of business plans, time grows in value. The hours of the day are not enough; those of sleep are trenched upon. The claims of family and home must succumb to the demands of business. The Lord's day intervenes, with its holy calm and its sacred rest, presenting its restraints from undue engrossment in worldly plans, and its repose from consuming cares. For a time its beneficent voice is heeded; but one emergency after another arises, when holy time is invaded—secretly at first; then comes the Sabbath journey, Sabbath visiting, Sabbath letter writing; the posting of accounts, the plans for money-making, directorship in Sabbath-breaking corporations; and thus the open and habitual desecration of a day once revered and regarded.

God instituted the Sabbath as the great and perpetual barrier against human selfishness. He gave six days for labor; but by example and command, set apart the seventh for his own worship, and as a beneficent provision for the refreshment of mind and body from the toils of the week. Time immemorial the struggle has been going on between the selfishness of man, coveting for its purposes those holy hours, and the restraining providence and grace of God guarding from invasion the period prescribed for man's good and the divine glory. If there be with us a seeming and temporary triumph, it is the short-sighted triumph of selfishness, already rebuked by the lessons of Providence as to the uncertain tenure

of ill-gotten gain, more mortifying than defeat. It may be hoped that even worldly wisdom will learn the great truth at last, that it is as *unprofitable* as it is wrong, to rob God of the time that belongs to Him, as much as the days of labor belong to us.

Another fruitful cause of the declension in Sabbath observance may be found in the *preoccupation and neglect of Christian men*. They have not only shared in the general engrossment in business affairs, but their attention has been absorbed by other reformatory enterprises, which have blended with the politics of the country, so that the interests of the Sabbath have been inadequately guarded, and its desecration has come to be so common, as to excite little remark, or awaken little apprehension. The moral atmosphere has become so tainted, that profanations which would have shocked the sensibilities of the community thirty years ago, pass unheeded. Or the evils seem so prevalent and overwhelming, as to induce despair of a remedy. Matters of remote concern or of doubtful claims have eclipsed the Decalogue and its everlasting rule of right, until we find our very homes enveloped in the twilight of incipient barbarism; the whole train of vices, as ever, following close on the heels of Sabbath profanation. A just, manly and Christian regard for the Day of days, on the part of its friends, would have stayed much of the evil we now deprecate.

The *Sunday press* has also contributed powerfully to the desecration of holy time. It began its desolating work at about the period of the repeal of our municipal Sabbath ordinances, and journal after journal has furnished its quota of influence to sweep away our Christian Sabbath. These journals are believed to be doing the work of infidelity, and fostering vice and irreligion. Not content with the rights of other parties, and apparently regardless of the feelings of the Christian community, they monopolise the public streets, and disturb the quiet home, the family devotions, and even the worship of the sanctuary, by the shrill cries of the venders of their sheets. Instead of that sacred stillness, which is the voice of God to a weary, sinful world, our homes are thus filled with the sounds of a guilty commerce, and with the Sabbath instructions our children receive are mingled lessons from the lips of ragged newsboys. From hundreds of voices, penetrating all our abodes, on every Sabbath day, our children and youth are exhorted, "Remember *not* the Sabbath to keep it holy." Can there be any occasion for surprise, then, that the rising generation

are fast losing their reverence for all authority, human and divine?

In this connection we cannot forbear comment on the singular anomaly presented in the fact that by the legislation and practical administration of government of the metropolis of a Christian land, hundreds of ragged urchins perambulate all our streets; making day hideous with their cries; preaching a crusade against the Fourth commandment in the unwilling ears of a whole city, and encouraging the violation of every other by their wares: *while an attempt to preach the Gospel of Jesus Christ to those who might choose to gather in any public square, by any Christian pastor, without the written permission of the Mayor or some one of our aldermen, would be a misdemeanor punishable by fine or imprisonment!*

The extension of our commerce, and the multiplication of our lines of communication with the interior of the country have had a powerful tendency to overthrow Sabbath restraints, and to make it a day of traffic. Many of the railroads and steamboat companies carry passengers and freight to and from the city on the Sabbath, as on other days—though with less frequent trips or trains, in some instances. Of course thousands of employees must be robbed of their *right* to a day of rest, and are demoralized at the same time; while the classes most needing the rest and restraints of the Sabbath are tempted to leave the city and seek haunts of dissipation in the environs. The volume of business, too, rolling on through every day, draws with it the thoughts of the trader and shipper. Carmen, hackmen, keepers of hotels, and various other classes, are engrossed in their several avocations; and to them the ennobling, refining influence of Sabbath hours is all lost. Material interests obtrude on the period assigned by God himself for attention to the intellectual and spiritual. The tramp of the iron horse crushes out the Decalogue, and the noise of the steam whistle drowns the voice of God.

The increase of *European travel* engenders familiarity with the views and practices of the continent, and induces a corresponding laxity of Sabbath observance among multitudes of travelers for business or pleasure. A few months' residence at Paris—with its open Louvre, its Sunday military reviews, its St. Cloud or Versailles fountains, its Bois de Boulogne drives, and its general atmosphere of Sabbath holiday desecration, is frequently enough to weaken if not obliterate the "prejudices" of an American edu-

cation; and it is feared that too many return from that seductive capital, or other continental cities, with serious and often fatal injury to their morals and piety.

But the most potent cause of Sabbath desecration may be found in the *immense emigration from Europe*. It appears by the census of 1855, that of the entire population of 629,810, no less than 232,678 were born in foreign lands, and that of the voters there were 42,704 naturalized aliens to 46,113 native born. A fraction of the whole number came to us from Sabbath-keeping Scotland; but the great mass have emigrated from lands where the Sabbath is a gay holiday, or where it is so overlaid by fast and feast days of human appointment, as to be practically superseded in the respect and observance of the people. Congregating here in swarms at particular localities; retaining their ideas of Sunday as a day of mirth and dissipation; finding our streets in the possession of newsboys who carry on a traffic in a manner more godless than their eyes and ears were accustomed to even in the worst capitals of the old world; uninstructed in the true uses and divine sanctions of the Lord's Day; encouraged to license by the general spirit of lawlessness, contrasted with the stricter governments of force to which they have been familiarised—is it strange that our emigrant population should invade an American and a divine institution they do not understand and have no sympathy with; or that their imported views and example should weaken the sentiment and impair the power of our Christian Sabbath? Intermingled with our church-going population, may be found dwellings, where the piano rings forth the last waltz, or the voice recites snatches from the popular opera; and a hundred neighboring families are completing their foreign education under gratuitous masters. In the midst of a group of decent abodes, the home it may be of virtuous, pious mechanics, a German dance-house is set up; and the Sunday band and the merry dancers continue their sport the live-long day, and far into the night. A citizen grows weary of the noise and dust of the city, and seeks a residence on the banks of one of our noble rivers: the adjoining place is converted into a "Tea-Garden," and every summer's Sabbath is made the resort of thousands who know no other distinction of days than that which admits a looser rein to passion and pleasure.

In these and other ways the element of our population, which contributes so much to its material prosperity, becomes a bane to

its higher interests. The incursion of Goths and Vandals could hardly be more fatal to morals and religion. The whole atmosphere is tainted by its breath. Many parts of the city reek with its pollution. Respect for law is waning away. Life and property are becoming insecure. Misrule, speculation and fraud infest our government. Crime and pauperism lurk in our streets. Anarchy waits for our doom. Nor need it wait long. Left to ourselves—the restraints which divine mercy has thrown around us in his Holy Law cast off—what can we expect but the *invariable* visitation of the Divine Ruler on rebellious cities and nations?

The Committee have thus traced “the history of Sabbath observance in New York, with its present condition, and the causes of declension.” It is a sad record. We fear that fuller investigation would afford but little increase of light for the picture. True, there are hundreds of Christian churches, whose ministers and worshipers may be supposed to represent the strength of the Sabbath-loving, Sabbath-keeping host. It is also true, perhaps, that if this host were brought face to face with the multitudes who condemn the law of God, we might hope for victory, through the arm of Jehovah. But they are not thus brought. We have, indeed, our Mission Sabbath and Industrial Schools, and our city Tract Mission, and kindred evangelizing agencies, of more or less potency. But the fact remains painfully apparent, that the salt that might save is too commonly in vessels of self-preservation. The leaven that ought to “leaven the whole lump” is put in bags far from the mass that needs its leavening power. The host that might conquer is in barracks, while the enemy stalks abroad with brazen and unterrified front. Shall not the requisite measures be taken to arouse the intelligent Christian community to the evils and the perils of the existing state of things? We would express the earnest hope that no time may be lost in devising and applying an adequate remedy, so that our reproach may be wiped away, and that, in the language of good old Peter Stuyvesant, we may “prevent the curse of God, instead of his blessing, falling upon us and our good inhabitants.”

RAILROADS AND THE SABBATH.

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1. Statistics of Sunday Traffic on Railroads & Canals ;
 2. The Moral Influence of Railroads ;
 3. Economical Motives for Sabbath Observance ;
 4. Religious and Civil Relations of the Sabbath.
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SECOND DOCUMENT
OF THE
NEW YORK SABBATH COMMITTEE.

1858.

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RAILROADS AND THE SABBATH.

THE Committee would make grateful mention of the courtesy of the officers of the various Railroad and Canal Companies, to whom they have applied for information respecting their Sabbath arrangements. An examination of the facts thus gathered from authentic sources will show, that, while some forms of desecration on our thoroughfares remain to be deprecated, an important advance has been made by many of the companies in diminishing their Sunday trains, and that several of them have found it to their advantage *wholly to suspend their Sunday traffic*. It will be seen that higher motives than those of interest have influenced this result, as would be expected from the character and standing of the parties concerned ; and further changes in favor of cessation from secular toil may be reasonably expected, as the relations of the Sabbath and the responsibilities of influential corporations are more fully considered. It is, then, in the spirit of kindness and hope that the Committee would attempt a brief analysis of the information procured, and make such suggestions as seem pertinent to the difficult and important subject referred to them.

The scope of present inquiry embraces only the lines of communication diverging from the City of New York, or immediately connected with its business,—the great arteries of commerce, through which travel and traffic and moral influences perpetually flow : omitting in this document the discussion of the City Railroad question. The leading facts of the several corporations are as follows :

THE NEW YORK AND NEW HAVEN RAILROAD COMPANY, forming a part of the great mail route from Boston to New Orleans, “send out a single train (with the mail) at six o’clock P.M., on Sunday, with a passenger car attached, and take only those persons who must go, on account of sickness or death, or any urgent matter that compels them to travel in that train.” “The whole number of passengers who rode in that train in January last was seventy-four, though there were five Sundays in the month ;” “and the month previous but sixty-five—averaging say fifteen passengers per Sunday.” The average number of passengers each Sunday in 1856, was *thirteen*, and in 1857 it was *seventeen*—making the general average for two years **FIFTEEN**. The train leaving Boston on Sunday night at 8 o’clock does not reach the New Haven road until early Monday morning. The number of passengers by that train is about the same as from New York.

This experience on one of the most frequented of our great

thoroughfares is of great value, as furnishing an impartial test of the proportion of public travel rendered necessary by the various emergencies of "sickness or death, or any urgent matter that compels" the use of sacred hours. The usual daily average of passengers conveyed on this road exceeds *three thousand (3,292,)* or 1,030,597 per annum. The average on Sunday is *fifteen, or less than the one half of one per cent. of the ordinary daily communication.* Do not these facts demonstrate that *only the merest fraction of Sunday travel is necessary, and therefore right?*

Taking these data, in their bearing on the plea of *humanity* for Sunday Railroad accommodation, and in connection with the fact that about as many men are robbed of their day of rest in the care of the train as are conveyed by it a few hours earlier on errands of necessity or mercy, and the preponderance of humane motives would seem to be on the side of Sabbath-keeping : more especially when we take into account the peace and comfort of probably thrice as many sick and dying along the line as are benefited by the visits of Sunday travelers—to say nothing of the rights and morals of the million, and the offending or hardening of consciences all along the roadway. Are not these facts entitled to the careful consideration of other Boards of Directors, in their humane, as well as their economical aspects?

THE HARLEM RAILROAD COMPANY, with a large freighting and passenger business, *run no passenger trains on the Sabbath* on their main line, and but a single freight train : and this, if we rightly interpret the returns, for the transportation of milk alone. The change in this respect is understood to afford great satisfaction along the line, and it may be hoped will be permanent. On the city road, however, the Company employ sixty-five men, and convey an average of 11,566 passengers a month, on Sundays.

THE HUDSON RIVER RAILROAD COMPANY, after an experiment of the opposite policy, which their best friends deprecated and deemed disastrous, have discontinued both their passenger and freight trains ; "employ no men, receive no money, and transact no business on Sunday." The only qualification to this gratifying statement is in the arrangement by which a freight train arrives about six o'clock on Sunday morning. With this exception, it is represented that their fifteen hundred employés have their weekly season of repose : not a wheel moves, not a whistle screeches, to break in upon the Sabbath stillness. Their 4,000 daily patrons have occasion to rejoice in the increasing prosperity and safety of the road ; and its bond and

stock holders will be more than content with the simultaneous increase of receipts and diminution of expenditures under a Sabbath keeping regime.

THE LONG ISLAND RAILROAD COMPANY run no Sunday trains, with the exception of one for the transportation of *milk*, which reaches and stops at Bedford about 9 o'clock A.M.

THE ERIE RAILROAD COMPANY "run three trains over the whole length of the road at this season of the year (March), and four local or way trains, each way, over portions of the road, six days in the week, with an average number of passengers (through and way) of about 3,000. Only one passenger train leaves New York on Sunday, and that, carrying the mail, leaves at 5 P. M. No train leaves Dunkirk on Sunday; but the train that leaves on other days at 4.25 P. M. leaves Hornelsville for New York at 10.25 Sunday night. The train leaving Dunkirk Saturday afternoon, runs through to New York, arriving Sunday forenoon. No way passenger trains run on any part of the road on Sunday. The number of passengers leaving New York on the Sunday train is very small, and the whole number carried is not more than one twentieth of the number carried on other days.

"The average number of freight trains moving daily on all parts of the road varies according to the business and the season of the year, from thirty to fifty. No freight is received or sent from New York on Sunday. From Piermont two trains leave for the West; and from Dunkirk a cattle train leaves for New York on Sunday. No way freight trains are run on any part of the road on Sunday. A milk train leaves Otisville Sunday evening and arrives at midnight. No freight is delivered on Sunday, and consequently no money is collected on that day for freight transportation.

"The whole number of persons in the employ of the company in all capacities averages about 4,000; of these about 1,500 are employed as conductors, engineers, &c., in running the trains. The number of men employed on Sunday is just as much less than on other days, as the number of trains run is less. No freight being received or delivered at any of the stations on Sunday, consequently the laborers, clerks, &c., are not employed on that day.

"Our Board of Directors *have recently adopted a resolution that all Sunday labor on the docks in New York and at Piermont be discontinued, except such as may be necessary for the preservation of property.*"

The intelligent and obliging officer of the road who kindly communicated the foregoing facts, further writes :

"Allow me to add that the necessity of running freight trains on Sunday on our road, grows out of the competition with other lines leading to the West. Merchants will ship their goods by the quickest line, and the delay of twenty-four hours on one road would turn from it a large portion of its business. None of the roads leading from New York, so far as I know, receive freight for

transportation on Sunday ; but I am confident if it were known that goods received on Saturday would not be forwarded by the Erie road till Monday, we should get very few on that day, and shippers forwarding their goods by another route on Saturday, would be likely to do the same on all other days. The remedy for this lies with the merchants and Railroad companies.

May it not be hoped that the "merchants and the Railroad companies" will seek a "remedy" in a direction consistent with their true interests, and with the *rights* of the hard-working operatives in their service ?

THE NEW YORK CENTRAL RAILROAD COMPANY *start* no passenger trains on Sunday, but trains which leave either end of the road on Saturday evening go through. "Freight trains are run as little as possible on Sunday; but when there is a press on the road they are often run from the actual necessity of getting them out of the way." Such is the statement of the respected officer of the road in reply to our inquiries, who adds :

"I have uniformly opposed Sunday trains on our line. The men require the repose of Sunday, and are fairly entitled to a day of rest. *They work the better for it during the week.* In addition to this, the great body of the passengers who would go on Sunday, if the trains were running, go on Saturday or Monday if the road is closed on Sunday. The Company is the gainer by this. I have always urged these reasons, independent of the higher law which might be appealed to when discussing this subject. * * * The proper observance of the Sabbath is of great importance to this country. The perpetuity of our institutions depends upon the moral character of the people ; and that cannot be fully developed and maintained without the aid of the Sabbath."

If views thus sound and practical come to pervade the Board of Direction of this immense Company, as we trust they may, it is believed that it would not be long before "the actual necessity" of moving a wheel on the sacred day would be very infrequent ; or before it would be found "possible" to "do all thy work" in "six days."

THE NEW JERSEY RAILROAD AND TRANSPORTATION COMPANY (extending from Jersey City to New Brunswick,) "run an evening train only on Sunday, leaving New York at six p.m., and New Brunswick about eight o'clock p.m. This train is however so crowded with way passengers, especially in summer, that the Company have been obliged to run a way relief train, about the same hour, between Jersey City and Newark. The average number of passengers on Sunday is about 100 through, and 400 to and from Newark, &c. *No freight trains are run on Sunday ;* eight freight trains run each way

on secular days. The daily receipts, other than Sundays, are about \$3,000 ; on Sunday about \$300. The average number of employés is about 127 ; on Sunday evening, 32.

"The N. J. R. R. & T. Co. never run their regular way trains on Sunday ; and about twelve years ago, they prevailed on the Post-master-General to dispense with the Sunday morning mail line, which then left New York and Philadelphia at nine o'clock A.M. on Sundays, and carried about as many passengers as the present evening mail line.

"Our Company," continues the respected Vice-President, "felt it their duty to conform to the wishes of the community through which their road passes, and used strong efforts to secure the withdrawal of the morning mail line : and *they are perfectly satisfied with its results, regarding its omission as conducive to the true interests of the Company, in the increased efficiency of their operatives and equipments, and the diminished liability to accidents, by not overworking the men, machinery and road, but giving to all one day of rest.*"

THE CAMDEN AND AMBOY RAILROAD COMPANY run two passenger trains daily, and two freight trains with passenger cars attached. No trains for passengers or freight are run on Sunday, and no men are employed on that day. But the trains leaving New York and Philadelphia at 5 o'clock on Saturday evening arrive at each end of the line early on Sunday morning. It would seem to be feasible to start those trains earlier on Saturday, to avoid even this partial encroachment on the hours of the Sabbath.

THE NEW JERSEY CENTRAL RAILROAD COMPANY run eight daily passenger trains and an equal number of freight trains, on the secular days of the week, employing 431 men, and with daily receipts of about \$2,000 ; but *all business is suspended on the Sabbath.* The men enjoy their weekly rest, and the villages along the route are undisturbed in their Sabbath quiet.

THE MORRIS AND ESSEX RAILROAD COMPANY run no Sabbath trains.

CANALS.

The canals in the State of New York have an aggregate length of about 900 miles. The number of persons employed on these works as collectors, forwarders, boatmen, drivers, &c., is estimated at 25,000 ; the number of boats 5685, and the number of horses 12,000. It has been stated that of the whole number of persons thus employed, some 6000 are *minors*, many of whom are *orphan boys*.

So far as is known, the business of the *State* canals is carried forward on the Sabbath without intermission, as on other days. The Locks are all opened on that day as usual, and a population equal to one-fourth of the entire group of the Sandwich Islands, pursues its demoralizing traffic through the heart of a populous Christian State, under cover of the laws of that State !

We are happy in being able to present, in contrast with this legalized profanation of the Sabbath, the voluntary provisions of a private corporation, whose directors have had the wisdom and the firmness to close their Locks on the Lord's day, and to suspend all business on their line during consecrated hours.

THE DELAWARE AND HUDSON CANAL COMPANY employ 1125 boats in the transportation of coal, and 100 in freighting miscellaneous articles, merchandise, &c. *They are all prohibited from running on the Sabbath.* An aggregate of about four thousand persons are engaged on the canal during the boating season. The opportunities for moral improvement are such as are found in the schools and churches of the different towns and villages through which the canal passes, and in the labors of a missionary employed and paid by the Company. His labors consist in the distribution of tracts and Bibles, personal intercourse and conversation with boatmen, and preaching to them on the Sabbath. The Directors believe that the closing of the Locks has had a very beneficial influence on the morals and deportment of the boatmen, and on the population along the line of the canal.

The esteemed President adds to this important testimony: "You will perceive that we cannot give very satisfactory answers as to the effect of Sabbath labor on man or beast, because we have had so little experience. We believe it, however, to be highly pernicious to both. When we closed our Locks, (say 23 years ago,) objections were made to it, and some feeling of dissatisfaction was manifested, both by boatmen and the population along the line of the canal. *But, I have no doubt the feeling would now be much stronger against a proposition to open the Locks on the Sabbath.*"

THE DELAWARE AND RARITAN CANAL COMPANY close their Locks and bridges every Saturday night at twelve o'clock, and open them again directly after twelve o'clock on Sunday night. Between nine hundred and a thousand boats navigate the canal, and from 5000 to 6000 boatmen, raftmen, drivers, and others are immediately connected with the business of the canal. All work ceases on the Sabbath.

From the interesting letter of the Cashier of the Company we learn, that "the influence of Sabbath observance has been good on the boatmen, and on the inhabitants in the vicinity of the canal. The most intelligent of the captains—all of them, indeed, with a *single* exception—state that the stoppage of labor on the Sabbath *has worked well*, and is highly beneficial in a physical point of view to all the force—captains, men, drivers, and horses. In some instances, more trips have been made during the year—and I have heard of none making less—than when work was carried on during the Sabbath."

After stating the history of the efforts for securing the law by

which the canals in New Jersey are closed on the Lord's Day, and of the efforts for the spiritual good of the boatmen, the cashier adds the following :

"The receipts of the company at their office (Princeton), where almost the entire toll is paid, for the years 1852 and 1853, compared with those of 1856 and 1857—two years under each system—show an INCREASE OF ONE THIRD *under the plan of a due observance of the Sabbath*, as appears from the State Director's Report for these years."

We regret to state that many of the boats which have passed the Locks at New Brunswick on Saturday are taken in tow by steamers and brought to New York on the Sabbath. Would not the manifold benefits of Sabbath observance on the canal, be experienced by a like regard for sacred laws on the bays and in the harbor of the metropolis ?

REVIEW OF FACTS.

A review of the facts thus grouped would seem to show that—

Sunday trains are *unprofitable*. Whatever exceptions may exist on short city or suburban railways, it is clear that the legitimate business of a road or canal may all be done in six days, with the economy of labor, machinery, etc., of one day. The testimony of some of the most influential managers of these companies is explicit on this point ; and experiment, in one instance extending over a quarter of a century, accompanied by almost unprecedented prosperity, would appear to be conclusive. It is believed that the experience of the companies in New England, nearly all of which keep the Sabbath, will confirm this position. Corporations, as well as individuals, find that in keeping the Commandments of the Lord "there is great reward."

Sunday trains are unnecessary. Humanity does not claim them, as is shown by the instructive facts of the N. Y. & N. H. R. R. Company. Commerce can dispense with them : it can well be content with the amazing increase of facilities for the transportation of manufactures, merchandise, and the products of the earth, as compared with other days ; and can afford to let every wheel stand still one seventh part of the time, as a security for the gains of the remaining six days. The correspondence of the country, already expedited with five or ten-fold rapidity as contrasted with the days of stage-coaches and post-riders, may forego, without essential loss, the Sunday mail and the demoralization of Government employés which hazards remittances by post,—especially since the Telegraph affords the means of instant communication with distant correspondents in all cases of emergency. The fact that in the great metropolis of the world all

post-office business on the Sabbath has been given up, for years, favors the view that the invasion of sacred time by Postal arrangements cannot be necessary. What interest, then, compels the use of these thoroughfares on the Lord's day?

But if Sunday trains are not necessary, are they *right*? The laws of the State only except from their prohibitions of labor on the first day of the week works of "charity and necessity." Their whole spirit is opposed to secular toil on that day. Is it too much to claim that the potent example of great companies, extending their lines of communication in every direction over the State, shall not be employed so as to bring its laws into contempt, or so as to weaken the moral restraints essential to the peace and well-being of its citizens? But, all human laws aside, the un repealed statutes of Heaven furnish the unerring standard of right for men and for associations of men: and we see not how, in view of their requirements, to vindicate any systematic and unnecessary arrangements for secular business seven days in a week. In the long run, we cannot believe such business will have the blessing of Heaven. The general remark of Chancellor Frelinghuysen must have specific applications—"God has written the solemn truth on the whole line of His Providence, as well as on the pages of His word, that the people who despise His Sabbaths must suffer His frowns."

THE MORAL INFLUENCE OF RAILROADS.

The Railroad interest has become one of the most important in the financial and commercial world. Stretching its net-work of intercommunication over our broad land; absorbing nearly a thousand millions of dollars of capital; employing tens of thousands of our population—its influence on the character of the country has come to bear some proportion to that it exerts on its business and wealth. As a civilizer, the power of Railways can hardly be over-estimated. The snort of the iron horse as he rushes through the forest, or over the prairie, or along the valley, wakes the indolent to effort, and breaks in upon the stupor of hopeless isolation. Our enterprising settlers gather along the line of the newly-opened thoroughfare, as in other days on river-banks; and villages spring up around the stations as if by magic, with many of the appliances of Christian civilization. Thousands of such communities already exist, and contribute their quota to the tide of national prosperity and greatness,—where not a habitation would have been found but for the iron road and the locomotive. All honor to the enterprize that has planned and executed these gigantic monuments of the wealth and industry of the United States!

The *moral influence* of the Railroad system is a matter of immense moment. If it be made the channel for the diffusion of a corrupt and debasing literature; or the means of training a multitude in its service and along its lines of communication in habits of godlessness; or if it become the medium of invading the hours of sacred repose guaranteed by the laws of God and man to the communities bordering upon its thoroughfares—then will its pecuniary and commercial advantages furnish an inadequate offset to the injuries it will inflict on interests of infinitely higher concern. Valuable as the Locomotive may be—it is less valuable than the Decalogue; and if it cannot do its appointed work without running over “the tables of stone,” it were better that it never run at all.

It is believed that the tendency of the Railroads of the country, under proper regulations, would be greatly to diminish the amount of intemperance, Sabbath-breaking and kindred vices. Multitudes of animals employed on stage routes, with their army of drivers, ostlers and hotel-keepers, are already freed from the exhausting Sabbath service of other days. The increased ease and rapidity of communication takes away the excuses for Sabbath traveling of many who have long distances to go by land or water, and for the use of stimulants to restore over-taxed powers. The arrangements of many companies for the exclusion of intoxicating drinks at refreshment houses, and for entire rest on the Lord’s day, contribute to good morals. And to a greater extent than is commonly supposed, all needful mail facilities being furnished by six days of Railroad communication, the Post-office authorities and the Railroad companies have found it alike for their interest to suspend Sunday mail trains. May it not be hoped that, ere long, the combined dictates of interest and duty will prompt to the consummation of this voluntary and beneficent reform: so that as the sun rises on our New England hills, and gilds our central States with his morning beams, and pours his meridian splendor on the basin of the Mississippi, and sheds his declining rays on the Pacific slope, over our broad continent he shall look down each seventh day on commerce in repose; industry renewing its vigor; thoroughfares without a train or a traveler; “Deep calling unto deep”—the Atlantic unto the Pacific—“This is the day the Lord hath made, we will rejoice and be glad in it;” and a grateful nation rendering its homage to “the Lord of the Sabbath.”

ECONOMICAL MOTIVES FOR SABBATH OBSERVANCE.

Many considerations would seem to prompt to the entire cessation

of secular labor on the Sabbath on our thoroughfares—other than those of general application. They may be briefly stated as follows :

The interest of stockholders. They entrust the management of millions of money to other parties. The immensity of the trust forbids personal oversight. Confidence must be a large element in such relations. Conscience is relied on to control the administration of a complicated and responsible business. But what security can the stockholder have for the right employment and just returns of his capital, if one vital principle of the moral law is systematically disregarded? If the Fourth Commandment is contemned, has he any adequate security against the violation of the eighth? If the claims of God do not bind the conscience, will the rights of men fare any better?

The security of property and the profitable employment of capital demand a regard for the Sabbath. No interest is more dependent on a healthful state of public morals than Railroads. Let the fear of God and the restraints of the Sabbath be removed from a community, and private malice or wantonness would soon convert a Railway track into a man-trap. "Accidents"—wholesale assassinations would follow in the wake of general demoralization. And human law would be comparatively powerless for the protection of an extended and exposed line of communication. What would Railroad stock be worth with a lawless and imbruted population along the roadway? Does not every countenance given to a parent evil become *suicidal*, in such a view?

The discipline of a Railroad requires a day of religious rest for the employés. Prompt, implicit obedience, forethought, conscientious fidelity, undeviating honesty, are essential requisites on the part of station-masters, conductors, and all parties employed on our thoroughfares. How many trains have been smashed, and how many lives lost, by an unauthorized change of five minutes in the time table, or by the careless manipulation of a switch? But how can men be expected to regard scrupulously the rights of others, when their own *right* to a seventh part of time for physical, intellectual, and moral improvement is denied to them? What basis is there for a nice sense of responsibility when the moral law is practically ignored? Or how can a rigid obedience to the laws of a corporation be expected, when the example of disobedience to a divine requirement on the part of the corporation itself is habitual and conscious? What security can there be for the honesty of the employés who violate the Sabbath, or what certainty that the gains of Sunday

are not filched from the earnings of other days? ["I should never doubt the honesty," says Judge McLean, "of a man who, from principle, keeps the Sabbath day holy."] Or how can the powers be fresh and vigorous, so as to meet the constant emergencies of a perilous service, when they are overtaken, and the opportunities are denied for recuperation required by the laws of being and the commandment of Heaven? It is not necessary to refer to the direct Providence of God in explanation of the frequent disastrous occurrences connected with Sabbath-breaking conveyances—though there are instances enough on record, taken in connection with the history of God's care for His day, to deter a believer in the Bible from trifling with holy time. An adequate cause may commonly be found in the carelessness, or stupidity, or false judgment of men whose moral natures lack the tonic influence of the Sabbath, and whose physical and mental powers have been weakened by protracted and unintermitted tension.

The safety of passengers urges a regard for the Sabbath. The estimation placed on human life is one of the best tests of the degree of civilization attained by a nation. Humanity and self-interest alike prompt to the lessening of all liabilities to casualty in public conveyances. But with men and machinery tasked to their utmost by seven days' toil in a week, the exposure to casualties is greatly increased, as we have shown, and in that proportion the patrons of Railroads are imperiled in person and property. The pecuniary responsibility of Railroads, in the nature of insurance on life, is immense at best—so heavy, indeed, as to deter many capitalists from investing in such securities on that very ground: but how is it enhanced when, to all other liabilities, is superadded that caused by contempt for a natural and moral law, as imperative as the law of gravitation?

The peace and good morals of the communities through which our Railroads pass would be promoted by their cessation from business on the Sabbath. The tendencies toward a lax observance of the day are strong enough to press hard on the barriers of conscience and habit, in every community, without the additional motive of curiosity to witness the Sunday arrivals at the railway station, and the stir and bustle of omnibuses, carriages, porters, hotel-keepers, and the corrupting influences too often clustering around a railway depôt. There are causes enough of diversion from the appropriate duties and enjoyments of the home and the sanctuary, without the noise of trains and the whistling of engines on the day of rest. Every household has a *right* to the quiet and repose which the Sab-

bath was appointed to secure ; and every community has an equal right to the moral safeguards which the Sabbath brings. Self-interest may not sacrifice these rights of the many to the convenience or profit of the few. A corporation may not over-ride or ignore the religious convictions and the highest interests of the great body of the people. And especially may the suburban population protest, as they have often protested, against any arrangements by which their country retirement is broken up, their grounds infested, their gardens and orchards robbed, and their families thrown into consternation by the Sunday excursionists poured out upon them in the summer season, by land and water. The gains of such a business will be poorly compensated, if our suburbs are made so dangerous and unpleasant as to prevent respectable citizens from establishing their homes there, and thus cutting off a considerable and increasing source of legitimate revenue from our Railroads and Steamboats.

RELIGIOUS AND CIVIL RELATIONS.

But we have too much respect for the intelligence and moral principle of gentlemen concerned in the direction of our Railroad Corporations to suppose that they have not anticipated us, in considering higher motives than those of interest in their bearing on this subject. They would blush to be thought to merge their individual responsibility in their corporate relations, and to ignore religious obligations by the plea, that "corporations have no souls." They devoutly recognize the Supreme Being and His ruling hand in other connections, and expect to give up their individual account in the final day for these, as for other acts of earthly stewardship. And none would be more displeased than themselves to be thought incapable of appreciating the motives affecting this question, drawn from the Word and Providence of God, and the moral and religious well-being of the people.

We would, then, respectfully, but with all the earnestness of men who associate the Sabbath with the creation and redemption of the world, and with their personal hopes and future prospects, *urge the entire cessation of needless secular labor on our thoroughfares on the Christian Sabbath :*

Because *it is a sacred day.* The Word and Example of God have "sanctified it" from the dawn of time. The Decalogue hallowed it forever. The Saviour of the world confirmed and illustrated its universal obligation and its humane intent, in divine teachings and by miraculous power. His Resurrection is commemorated by it. It is

"*the Lord's day*," "made for" the rest and worship of "man." He who made it guards it : and to profane it is to contend with its Author.

It is a *blessed day*. The poor profit by its repose : the rich are reminded by its recurrence of their stewardship. It comes to break in upon worldly engrossment, and elevate the soul to purer and more ennobling joys than earth affords. It gives to the family its period for social communion and religious instruction ; it invites to the Bible and the Sanctuary, and the preached word ; it is the day of destiny to millions of our race ; it is the type of Heaven. Him that keeps it, God will keep : he who desecrates it, tramples on one of his choicest blessings.

It is a day *vital to the prosperity of pure religion*. The world over, the prevalence and power of true religion may be measured by the degree of sacredness with which the Sabbath is observed. So that influences tending to its desecration have a direct bearing antagonistic to man's highest interests, and to the well-being of society. Individual hostility to the Gospel and its fundamental institutions must be expected : but the friends of religion have a right to demand that the commerce and wealth of the country, represented in the immense corporations they have created, shall not be employed in breaking down the barriers by which vice and irreligion are held in check, or in weakening and destroying the very institutions to which they owe a large measure of their security and prosperity.

It is a day of paramount importance *to the purity and perpetuity of our free institutions*. Despots may find their account in converting the Sabbath into a holiday, and diverting their subjects from their miseries by pastimes and idle sports. But the sturdy virtue and self-discipline necessary to a successful experiment of self-government, can only coexist with the universal respect of the masses for law, human and divine. The influence of the example of respectable bodies of men in the public violation of the Fourth Commandment, must weaken the power of conscience as to all other moral precepts. Our children and youth are liable to grow up with a feeble sense of moral obligation, and with inadequate convictions of parental, governmental, or divine authority. Foreign emigrants, finding here neither the restraints of law nor of armies, may confound freedom with license, and undermine and deprave the very institutions that invite and shelter them ; whereas, a manifest and invariable regard for the Law of the Sabbath on all our lines of intercommunication, would serve to impress on the minds of these new comers, and on the population along their borders, the great lesson that the freedom here enjoyed is associated with the voluntary recogni-

tion of Divine Authority, and subordinated to the Supreme Ruler. The question "whether we are to continue to be a Sabbath-keeping, virtuous, free, and happy people; and whether our blessings are to go down to future generations, will depend much, very much, upon the question, whether our numerous Railroads are to be Sabbath-keeping or Sabbath-breaking concerns."

In conclusion, we would echo the truthful and eloquent sentiments of the clergy of our city:

"The day of holy rest, to a land bearing the Christian name, and to a republic based on equal rights, has the highest CIVIL WORTH. Man needs it, *physically*, as a season when Labor may wipe off its grime, and breathe more freely after a week's exhaustion, and when Care shall slacken its hold upon the frame and the heart. Man needs it, *morally*, to rise by its aid out of engrossing secularities and materialism to the remembrance of his spiritual interests, his final account, and his eternal destiny. *Toil* needs it to rescue its share of rest, and its season of devotion from the absorbing despotism of Capital; and *Capital* needs it, to shield its own accumulations from the recklessness and anarchy of the imbruted and the desperate, and to keep its own humanity and conscientiousness alive. The *State* needs it, as a safeguard of the public order, quiet and virtue; human laws becoming, however wise in form, effete in practice, except as they are based upon conscience and upon the sanctions of Eternity, as recognized voluntarily by an intelligent people; and God's day cultivating the one and reminding us of the other. And in a *Republic* more especially, whose liberties, under God, inhere in its virtues, the recognition—freely and devoutly,—by an instructed nation,—of God's paramount rights is the moral underpinning requisite to sustain the superstructure of man's rights; and without such support from religion,—not as nationally established, but as personally and freely accepted,—all human freedom finally moulders and topples into irretrievable ruin."

NORMAN WHITE, CHAIRMAN,

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Sabbath Committee.

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NEWS-CRYING AND THE SABBATH.

1. MEMORIAL OF CITIZENS.
2. ACTION OF THE MUNICIPAL AUTHORITIES.
3. THE DAILY PRESS ON THE MEMORIAL AND ITS RESULTS.
4. THE RELIGIOUS PRESS ON THE MEMORIAL.
5. THE SUNDAY PRESS ON THE MEMORIAL.

[Third Document of the New York Sabbath Committee.]

Memorial against the Crying of Newspapers on Sunday.

To the Mayor and Police Commissioners of New York:

HONORED SIRS,—We place in your hands herewith a copy of a note recently addressed to the Proprietors of Sunday Newspapers in this city. It would afford us great satisfaction to learn that the nuisance therein remonstrated against has been voluntarily abated. Should this hope be disappointed, we would respectfully invoke the intervention of the constituted guardians of the public peace and morals, to deliver our over-worked citizens from the disturbance of their repose, and the interruption of their public and private devotions, on their only day of rest, by the loud crying and illegal sale of Sunday papers.

Beginning with the occasional sale of an extra-journal—issued on the arrival of exciting news from abroad—the crying of newspapers has grown into a system, extending over the entire city; so that, on Sunday morning, several hundred boys traverse our streets again and again, vociferating the titles of a large number of journals, tempting to the purchase by announcing their contents or their price, and transacting their business with an utter disregard for the rights or feelings of orderly citizens, or for the sacred character of the Lord's day. These cries are so loud and discordant as to forbid sleep, when sleep is necessary for refreshment after a week of toil; to disturb the quiet of the sick room; often to interrupt domestic conversation and worship; to arrest the parent or the Sabbath-school teacher when imparting religious instruction; and even to disturb Christian congregations in their acts of solemn worship.

We can regard this nuisance in no light than will afford for its justifica-

tion, compensation, or even apology. No public interest is promoted by it. No private necessity demands it. Other methods are open for supplying the patrons of the Sunday press. And there are other and appropriate employments for the boys engaged in this business on the Christian Sabbath. We protest against the evil, then,

1. Because it is a school of vice to the boys engaged in it. They go forth to their business with the knowledge that they are defying the public sentiment, and outraging the feelings of all Christian families. Their young consciences are hardened, and their character depraved by the very nature of their occupation, and they are receiving thus a training for criminals and outlaws. Then their Sunday earnings are very often spent in petty gambling, drinking, or in vulgar amusements. To a great extent, the Sunday newsboys are not the same who are engaged in the sale of papers during the week ; but they come from other employments that they may earn the means of attending theatres, or of enjoying other sources of amusement or dissipation on Sunday evenings. Few of the parents of these lads, if they have any, are benefited by their Sunday trade. Surely the petty gains of the newsboys can be no offset to the debasing influence of their traffic, and furnish no warrant for defying the rules of courtesy and decency. We believe the good of these children requires that they should be restrained from their demoralizing Sunday occupation.

2. The evil example of these boys is disastrous to the juvenile population of the city. Parental restraints are feeble enough at best, where fathers are so immersed in business as scarcely to see their children during six days of the week ; and when the Sabbath—"the poor man's day"—recurs, the heads of families have a *right* to its aid in domestic discipline and instruction, without the interposition of street influences unfriendly to order, morals, or religion. The teachers of Sabbath-schools, numbering 5,000 or 6,000, may well claim that their beneficent labors among 30,000 children shall not be counteracted by a few hundred urchins, at the very time of their gratuitous and self-denying efforts. The tax-payers of the city, and voluntary contributors, who bear heavy burdens for the support of Juvenile Asylums, Children's Aid Societies, and Public and Industrial Schools, for the mental and moral elevation of the young, may, and do complain of a system antagonistic to all these indispensable agencies of good. If a vital precept of the moral law be openly and systematically disregarded with impunity by the street boys, may we not cease to wonder at the growing violation of other statutes, or at the fearful records of juvenile crime in our city ?

3. This system implies an unwarrantable monopoly. Nearly every class of business is suspended on the Lord's day, out of deference to public sentiment, or from motives of interest or duty. The spirit of our laws befriends the laboring classes, and protects them in the enjoyment of needed repose. By almost universal consent the gains of one day are foregone,

that health and happiness for both worlds may be cared for. But if one kind of secular business may be carried forward, why not all kinds? If boys may pervade our streets on Sunday mornings with their cries, why may not men traverse the same streets on Sunday afternoons with hand-organs or gongs? If the newsboy may cry his wares, why not the oyster-man his oysters, and the dealers in wood, charcoal, fish, brooms, images, and every thing else, pursue their noisy traffic, and thus destroy the day of rest for the laboring man and the day of worship for the religious man? Nay, is there not a stronger claim for these branches of business, inasmuch as they supply an occasional and irregular want, while the newspapers, if needed at all, may be served noiselessly at the door, as on other days.

4. The crying of newspapers on Sunday is an invasion of the claims of courtesy and good neighborhood. Even if it interfered with no rights and involved no peril to public and private morals, it were a breach of good manners to obtrude wares upon a whole community at an untimely period, knowing that but here and there an individual is to be provided with them. What would be thought of an over-zealous Christian who should thrust himself into a theatre or a ball-room to cry and sell Bibles and tracts? What of a missionary who should traverse the streets fifty times of a morning, and cry at the top of his voice, "Remember the Sabbath day to keep it holy:" "Repent, for the kingdom of God is at hand?" It would be justly considered as ill-mannered and offensive, even though seven-tenths of the population were in sympathy with his object.

5. This system is a flagrant violation of the *rights* of our citizens. Every man has an inalienable right to a weekly day of rest, and he robs himself who gives it up. The Sabbath is the poor man's friend—the bulwark of labor against the encroachments of capital. And every man has a right to the peaceful enjoyment of his day of rest. Government fails of its duty if it do not secure this, leaving to the individual conscience the mode of observing the day and profiting by its privileges. But these rights are invaded when from early dawn till mid-day, and, not unfrequently, at all hours of the day, stentorian lungs break the repose or disturb the worship of families, by vociferating the titles and contents of newspapers, and compelling worldly associations like those which have wearied the brain and engrossed the energies during the week.

We deem it unnecessary to extend this discussion. The remedy for the evil we expose rests primarily with the publishers of the Sunday papers, and we trust they will promptly apply it. The newsboys themselves may sometimes be unconscious of the wrong they are doing. Many of them probably know little of the laws of God or man, and are perhaps the unwitting agents of more intelligent parties. We seek no harsh measures for the poor lads: but we would respectfully urge the abatement of this evil, for the sake of the newsboys themselves, for the sake of our juvenile

population, for the sake of order and good morals, for the sake of our families, Sabbath-schools, and Christian assemblies, for the good name of our city, and for the sake of restoring and perpetuating a quiet, refreshing, sacred Sabbath to the business-driven and wearied citizens of the metropolis you so worthily govern and protect.

With the highest respect

Your obedient fellow-citizens,

NORMAN WHITE,
 HORACE HOLDEN,
 JAMES W. BEEKMAN,
 J. M. MORRISON,
 E. L. BEADLE,
 WILLIAM A. BOOTH,
 ROBERT CARTER,
 WARREN CARTER,
 THOMAS C. DOREMUS,
 E. L. FANCHER,
 FRED. G. FOSTER,
 DAVID HOADLEY,
 GEORGE W. LANE,
 GEORGE N. TITUS,
 WILLIAM TRUSLOW,
 W. F. VAN WAGENEN,
 WILLIAM WALKER,
 E. C. WILCOX,
 F. S. WINSTON,
 O. E. WOOD,
 PELATIAH PERIT,
 WILSON G. HUNT,
 WM. V. BRADY,
 JOHN C. GREEN,
 JAMES BROWN,
 JAMES HARPER,
 DANIEL LORD,
 CALEB O. HALSTED,
 S. R. BETTS,
 JAMES W. GERARD,
 JOSIAH LANE,
 ABNER L. ELY,
 W. C. WETMORE,
 JNO. SLOSSON,
 GEO. DOUGLAS,
 MARSH. S. BIDWELL,
 JASPER CORNING,
 HIRAM KETCHUM,

GREENE C. BRONSON,
 TILLY ALLEN,
 WM. CURTIS NOYES,
 WILLIAM TRACY,
 DAVID PARISH,
 F. E. CHURCH,
 JOHN LUQUEER,
 J. G. ALLEN,
 S. T. SKIDMORE,
 BENJAMIN L. SWAN,
 S. B. SCHEIFFELIN,
 PHILETUS H. HOLT,
 THOMAS DENNY,
 WH. H. SMITH,
 A. R. WETMORE,
 T. KETCHUM,
 R. L. STUART,
 JAS. M. TAYLOR,
 H. M. SCHEIFFELIN,
 GEO. D. PHELPS,
 JAMES DONALDSON,
 JAS. D. OLIVER,
 ALEXANDER STUART,
 JAMES C. HOLDEN,
 GEO. MATHER,
 S. B. WOODRUFF,
 C. W. MOORE,
 J. T. MOORE,
 RICHARD BELL,
 JOSEPH STUART,
 D. H. ARNOLD,
 CHARLES J. MARTIN,
 ALFRED EDWARDS,
 WM. ALLEN BUTLER,
 JAMES L. GRAHAM,
 DAVID CODWISE,
 SHEPHARD KNAPP,
 WILLIAM FORREST,

PETER COOPER,
 JNO. P. CROSBY,
 C. A. DAVISON,
 WM. E. DODGE,
 W. R. VERMILYE,
 JOHN SLADE,
 E. D. MORGAN,
 J. N. PHELPS,
 JOHN J. PHELPS,
 B. W. BONNEY,
 RICHARD M. HOE,
 CHAS. P. KIRKLAND,
 W. C. GILMAN,
 L. ATTERBURY, JR.,
 C. CROLIUS,
 N. L. M'CREADY,
 ISAAC T. SMITH,
 CHAS. M. LEUPP,
 WM. C. MARTIN,
 LORING ANDREWS,
 T. C. CHARDAVOYNE,
 CHAS. MILES,
 D. FANSHAW,
 JAMES STOKES,
 ANSON G. PHELPS,
 JOS. KERNOCHAN,
 F. F. MARBURY,
 GRIFFITH THOMAS,
 THOMAS EGGLESTON,
 JOSEPH BATTELL,
 A. B. NEILSON,
 PETER V. KING,
 THOMAS TILESTON,
 THOMAS H. FAILE,
 STEWART BROWN,
 B. F. BUTLER,
 JNO. L. MASON.

NOTE OF THE SABBATH COMMITTEE TO THE SUNDAY PRESS.

[The following note, alluded to in the above memorial, was addressed to the Proprietors of the Sunday newspapers:]

TO THE PROPRIETORS OF SUNDAY NEWSPAPERS:

NEW YORK, April 30th, 1858.

GENTLEMEN,—On our own behalf, and in the name of our fellow-citizens, we would respectfully remonstrate against the CRYING OF NEWSPAPERS ON SUNDAY.

This systematic nuisance is believed to be peculiar to this city. We can find no sanction for it in the principles of comity or morality. It is an invasion of the rights of the people, who have a claim to one day in seven for uninterrupted rest and worship, by the laws of being, and by the statutes of God and man. It is a violation of courtesy and good neighborhood,—a selfish subjection of the community, in their homes and sanctuaries, to a disturbance of their quiet, for the convenience or profit of a few. It demoralizes the newsboys, who need the influence of the family and the school instead of the apprenticeship in vice and crime to which they are tempted and frequently drawn by their immoral gains. It corrupts the children and youth of our city by universal evil example; tends to counteract the efforts of parents, teachers, and of institutions of an educational and reformatory character, for the instruction and reformation of the young; encourages the spirit of lawlessness, and engenders irreverence for all authority, human and divine. It furnishes a dangerous precedent: for if the least necessary and most offensive business may be done on the day of rest, it will not long enjoy a monopoly of evil: the general desecration of the Christian Sabbath may follow, bringing with it the undermining of the foundations of morality and religion, the opening of the floodgates of dissipation and crime, and the ultimate inauguration of a week without a Sabbath, and “without God.”

The people of this city and the strangers visiting the metropolis have long endured, without approving, the evil of which we complain—its very magnitude and universality furnishing hitherto a security for the authors of it. Should it not be abated? May we not, without argument, appeal to you, as gentlemen and good citizens, to discourage and suppress it?

[Autograph signatures of the members of the Committee.]

ACTION OF THE MUNICIPAL AUTHORITIES.

The preceding memorial was presented May 20; and, after discussion, its prayer was granted. Pursuant to the action of the Police Commissioners, the following order to the Captains of Police was promptly issued by the General Superintendent, May 22.

OFFICE OF SUPERINTENDENT OF POLICE,
NEW YORK, May 22.

SIR:—The Commissioners of Police have directed the General Superintendent to enforce the law prohibiting the sale of wares and merchandize on the Sabbath, and also to prevent the crying of newspapers on that day. The 21st section of a law establishing a Metropolitan Police District forbids the sale of intoxicating liquors on that day, under a penalty; and other statutes of the State prohibit the sale of other articles of merchandize on the Sabbath.

The crying of newspapers on Sunday disturbs the quiet of the day, and is a violation of law, and is a subject of earnest complaint by a large body of our most respectable citizens. You will instruct the men under your command not only to report all violations of the Sabbath, but to suppress the crying of newspapers on that day. The law authorizes the forfeiture of all property exposed for sale on that day, except milk and fish in the morning.

Before enforcing the rigid provisions of the law, you will caution the persons crying the papers, of the consequences of such violations of the law, and only upon its repetition will you enforce its provisions.

F. A. TALLMADGE, *Superintendent of Police.*

THE DAILY PRESS ON THE MEMORIAL AND ITS RESULTS.

From the Courier and Enquirer, May 22.

SUNDAY DISTURBANCE.—We publish in another column an ably-drawn memorial, addressed to the Mayor and Police Commissioners in favor of the suppression of crying newspapers in the streets on Sunday. It is signed by a large number of our most respected citizens, and we are pleased to know that it has met with a most favorable reception. This practice is a nuisance which ought to have been abated long since, and would have been had we had a respectable municipal government. But the time has gone by when the better part of our community must needs patiently submit to these abuses. We have a chief magistrate who will not for an instant pander, for his own self-interests, to our viler elements—one who has both the honesty and the courage to maintain the laws, and devote himself to the public welfare. This memorial will repay perusal, and we have no doubt that the action it invokes will be faithfully carried out.

From the Courier and Enquirer, June 5.

AN END TO SUNDAY NEWS CRYING.—The sole request of as respectable a body of memorialists as ever invoked the intervention of our Magistrates, was, that they would deliver our over-worked citizens from the disturbance of their only day of rest by the loud crying and illegal sale of Sunday papers. This petition was urged on grounds which united citizens of all classes and creeds,—the well-being of the newsboys, the injury to our children of their lawless example, the unwarrantable monopoly of street traffic, the invasion of courtesy and good neighborhood, and the violation of the rights of our citizens.

We do not hesitate to say that there was never greater unanimity on any question of the sort than exists in our community as to the reasonableness of their request. The partial relief for a Sabbath or two from street noises has been felt to be a great boon; and the agency of the Police authorities has been recognized as beneficent and wise. Now that the newsboys have had ample warning—so that even the pretext of harshness towards them can hardly be set up in any quarter—the *coup de grace* should be given to this unpardonable nuisance. It will not do to permit the magistracy of the city to be openly flouted by a few urchins, even though they may be backed by a portion of the Sunday press. If any head is to be made against juvenile crime, if the city is ever to be restored to order and quiet, the issue joined on the single question of Sunday news-crying must be promptly and efficiently met, and the young apprentices of crime must be taught that officers of the law are not to be trifled with. A single day of vigorous action might settle the question.

From the Journal of Commerce, May 21.

CRYING SUNDAY NEWSPAPERS.—We publish with pleasure a memorial signed by near 100 influential citizens, praying the Mayor and Police Commissioners to put a stop to the crying of newspapers on Sunday. The request is reasonable, and we trust it will be complied with. It is decidedly too bad that the whole city should be kept in an uproar every Sunday, because a few ragged boys choose to have it so. There is no need of crying their papers, even if they sell them; they can serve them to subscribers, or sell them, about as well without crying them as with. We hope that the city authorities and Police Commissioners will follow the matter up until the evil is effectually cured. The crying of newspapers on Sunday is clearly contrary to law.

From the Journal of Commerce, May 24.

AN UNMITIGATED NUISANCE SUPPRESSED.—The public were hardly prepared for so sudden, effectual and immediate action as has resulted in relieving the city from the Sunday newspaper nuisance. Hitherto the sacred light hardly dawned before it was ruthlessly profaned by troops of urchin peddlers, screeching through every thoroughfare. The custom had been confirmed by long indulgence, till most people despaired of its being ever abated; but we awoke one fine Sunday morning (only yesterday), and the thing had utterly disappeared, as by the stroke of a magician's wand. To the Mayor and Police Commissioners, by whom this measure was more immediately effected, and to the Judges whose learned opinions have contributed so largely to the same desirable end, the public will be supremely grateful. Let private individuals co-operate with the authorities till

the barbarous practice now so happily suppressed be placed beyond the power of resuscitation. Yesterday was a Sabbath such as New Yorkers had not been previously privileged to enjoy for a long period of years—silent, tranquil, solemn—an eloquent tribute to an enlightened Christian civilization. May we have many more such.

From the Journal of Commerce, June 5.

SUNDAY NEWS CRIES.—The partial relief from this nuisance has given our people a taste of unwonted Sabbath quiet. In many portions of the city there has been almost the stillness of the country on the last two or three Sabbaths. If Sunday papers have been sold, it has been done without disturbing the peace of a whole square to wake up or call forth one or two patrons of the Sunday press. There seems to be universal satisfaction with the reform—some, even of the Sunday papers, conceding the right to demand it, and one of them having changed its day of publication to Saturday, in “obedience to law.” Others of them threaten and bluster, but it is to be presumed that the Police Commissioners and the General Superintendent will carry out their avowed purpose to suppress this needless and offensive outrage on the rights and feelings of the Christian community—indeed the whole community—and they will be sustained by the general voice of our citizens.

From the Express, May 21.

THE NUISANCE OF SUNDAY NEWSPAPER CRYING is to be put down, if the very respectable body of gentlemen who compose the Sabbath Committee *can* put it down; and, judging from their well-known energy and perseverance, and the justness of their cause, they will not rest until the quiet of the Lord’s Day is no longer broken by the shrill cries of “Atlas,” “Mercury,” “Dispatch,” “Erald,” “Times,” and “Sunday Courier.”

Some weeks since, the gentlemen of this committee addressed a respectfully-worded circular to the proprietors of the Sunday newspapers, urging them to voluntarily put a stop to the nuisance complained of, and set an example of respect for the Sabbath, and for the feelings of the great majority of the residents of New York, by having their papers served quietly, if they must be printed on Sunday. This circular was received with a universal shout of derision by the Sunday editors. They reviled the gentlemen of the committee as “bigoted Sabbatarians,” expatiated on the tyranny of “puritanical parsons,” who wanted to rule all the world and make everybody as long-faced and hypocritical as themselves, and dared the committee to proceed with their efforts to deprive the poor man of his Sunday amusement, declaring themselves ready to sustain the fight to the end.

The spirit displayed by the Sunday editors was not a judicious one, and cannot be sympathized with by the great body of thinking people in New York, who want one day’s rest from such every-day ideas as the crying of Sunday papers must bring up. The committee are more determined than ever to sustain their position—not because of their enmity to the Sunday newspaper traffic, any more than to any other species of Sunday trade, but because in prosecuting the great reform which they contemplate—teaching our people to “remember the Sabbath Day to keep it holy”—they must make a beginning somewhere, and they wisely judge that the most conspicuous and formidable antagonist should first be encountered. If they should retreat before the opposition of the Sunday press, all the Sabbath-breaking community would take courage, and the violation of the Lord’s day would become more intolerable than ever; therefore, there is no retreat for the committee, if they are in earnest in their work, as we believe they are.

Seeing that their appeal to the Sunday editors was of no avail, the committee have memorialized the Mayor and Police Commissioners, respectfully inviting “the intervention of the constituted guardians of the public peace and morals to deliver our over-worked citizens from the disturbance of their repose, and the interruption of their public and private devotions on their only day of rest, by the loud crying and illegal sale of Sunday papers.”

The memorial of the committee protests against the evil—1st, because it is a school of vice to the boys engaged in it; 2d, because the evil example of those boys is disastrous to the juvenile population of the city; 3d, because the system implies a monopoly, and if it is continued will encourage all other trades to prosecute their every day callings on Sunday; 4th, because the crying of newspapers on Sunday is an invasion of the claims of courtesy and good neighborhood; 5th, because the system is a flagrant violation of the rights of our citizens—depriving them of their weekly day of rest. In a word the committee urge the “abatement of this evil for the sake of the newsboys themselves, for the

sake of our juvenile population, for the sake of order and good morals, for the peace of our families, Sabbath schools and Christian assemblies—for the good name of our city, and for the sake of restoring and perpetuating a quiet, refreshing, sacred Sabbath to the business-driven and wearied citizens of the metropolis.”

The authorities, we understand, are inclined to coincide with the committee. The Police Commissioners, at their meeting on Thursday, adopted a resolution directing the General Superintendent to enforce the Sunday laws and ordinances; and as these laws positively forbid the selling of *anything* on Sunday but meat and milk—which must be sold before nine o'clock A.M.—we may expect a decisive issue to the controversy ere long.

It seems to us that the wisest way to settle the question would be for the Sunday press to change their day of publication. The weekly papers of the largest circulation and most popular character are neither published on Sunday nor cried through the streets. The opportunity now offers for the establishment of a weekly literary press, which will far exceed in excellence the present Sunday press. The editors of the *Leader* have lost nothing by publishing it on Saturday, and if the other Sunday papers would follow the example of Ald. Clancy, our word for it, they would find their profit in the change.

From the Commercial Advertiser, May 24.

DUE OBSERVANCE OF THE SABBATH DAY.—The recent earnest movement for a better observance of the Sabbath-day has been effectively seconded by the Metropolitan Police Commissioners. Under their direction, the General Superintendent issued an order on Saturday, requiring the Inspectors in the various precincts to instruct the men under their command “not only to report all violation of the Sabbath, but to suppress the crying of newspapers on that day;” and this they are enabled to do, as the law authorizes the forfeiture of all property exposed for sale on Sunday, except milk and fish in the morning. The effect of this order was, that yesterday, in some parts of the city, was the most quiet, peaceful, and orderly Sabbath known in the city of New York for many years. In some of the precincts, however, the order did not appear to be enforced.

From the Evening Post, May 20.

THE SUNDAY NEWSPAPER-CRYING NUISANCE.—There is no doubt that the noise with which the newspaper boys make Sunday morning hideous in the city, is a nuisance. As such it is the proper duty of the police to abate it. They hitherto forbore from a variety of reasons, no one of which was worth a great deal, but all together sufficed to prevent action being taken in the premises. A number of our prominent citizens have determined to encourage the Municipal Police Commissioners in the effort they were disposed to make to restore at least as much quiet to our streets on Sunday morning as is enjoyed on the other mornings of the week.

From the New York Times, May 31.

SUNDAY NEWS CRIES.—Yesterday the city enjoyed another quiet Sunday, so far as the cries of news-boys were concerned. Every person approves the change, and we are glad to see that even the Sunday newspapers, which were at first most violent against the order to discontinue the street-cries of news-venders on Sunday, are beginning to concede its propriety. The *Dispatch*, as we have already stated, has decided to issue its paper on Saturday afternoon, and the *Atlas* now expresses the opinion that the cessation of these cries, while it greatly promotes the public quiet, will not in the least interfere with the proper and legitimate sale of Sunday papers. If the policy now entered on is pursued, we presume the whole community will soon approve the change.

Same Journal, Correspondence, May 31.

ABATEMENT OF A CHRONIC NUISANCE.—The prompt action of the Police Commissioners on the memorial against Sunday news-crying, and the consequent order of the Superintendent, deserve unusual commendation. Twenty-one years' continuance of such an unpardonable nuisance ought to suffice. Every body wonders now that it should have been endured so long. And when the reform is completed, the relief to families, Sabbath-

schools, and churches, will be great enough to call for general thanksgiving. I am sure I utter the sentiment of tens of thousands when I tender the most cordial thanks to our excellent Mayor, and to the Commissioners and Superintendent of Police, for their intervention to put an end to policy-gambling, Sunday news-crying, and kindred evils.

From the New York Times, June 12.

SABBATH BELLS.—Our neighbors of the Sunday press have suddenly discovered that the ringing of church bells on Sunday is an intolerable nuisance. The *Herald* rings as many chimes on this subject as come pealing from an Old World cathedral, albeit they are a little cracked and time-worn. And even some of our nervous Aldermen seem disposed to put their hands on "the tongue of time," lest it should tell some unpleasant stories in its Sunday morning utterances. Well, "One man's meat is another man's poison." Perhaps the very reason that made Douglas Jerrold love the music of Sabbath bells may be the one that fills the souls—for all men are supposed to have souls, though they may not always think of it—of editors and Aldermen with disgust at their sound. In *St. James' and St. Giles'* the great humorist says, with equal pathos and beauty:

" 'There's something beautiful in the church bells, don't you think so, Jem?' asked Capstick in a sudden tone. 'Beautiful and hopeful, they talk to high and low, rich and poor, in the same voice; there's a sound in 'em that should scare pride, and envy and meanness of all sorts from the heart of man; that should make him look upon the world with kind, forgiving eyes; that should make the earth seem to him, at least for a time, a holy place. Yes, Jem, *there's a whole sermon in every sound of the church bells,*' (here's the rub!) '*if we only have the ears to rightly understand it.* There's a preacher in every belfry, Jem, that cries, 'Poor, weary, struggling, fighting creatures—poor human things! take rest, be quiet. Forget your vanities, your week-day craft, your heart-burnings! And you, ye humble vessels, gilt and painted, believe the iron tongue that tells ye, that for all your gilding, all your colors, ye are the same Adam's earth with the beggars at your gates.' Come away, come, cries the church-bell, and learn to be humble; learning that, however daubed, and stained, and stuck about with jewels, you are but grave clay. Come, Dives, come, and be taught all your glory, as you wear it, is not half so beautiful, in the eyes of Heaven, as the sores of uncomplaining Lazarus! And ye poor creatures, livid and faint, stunted and crushed with the pride and hardness of the world, come, come, cry the bells, with the voice of an angel; come and learn what is laid up for ye, and learning, take heart, and walk among the wickedness and cruelties of the world calmly, as Daniel walked among lions.'

"Here Capstick, flushed and excited, wrought beyond himself, suddenly paused. Jem started, astonished, but said no word. And then Capstick, with firmer manner, said: 'Jem, is there a finer sight than a stream of human creatures passing from a Christian church?'"

A New York Alderman thinks there is. In his view, "nine-tenths of church-goers are hypocrites, and he seldom went there (to church) himself, because he deemed himself in far better company among the people of the world"—where there is "drinking and racing on the avenue" on Sunday—"than he could find in the church." And this for *popularity* in the metropolis of a Christian land! Seven Aldermen vote the "ringing of church bells a nuisance!" A witty and a chivalric way of meeting the universal demand of the public and the press to stop the crying of newspapers on Sunday.

From the New York Times, June 14.

THROWING AWAY THE MASK.—The attempt to stop the news-boys from shouting on Sunday has had one effect, which might perhaps have been anticipated. It has converted the whole tribe of Sunday newspapers into open, rancorous assailants of religion and the church. They all teem now every week with the most vehement abuse of everything connected with Christianity, and are rapidly becoming the open advocates of infidelity. We can hardly believe their sales are as much injured by stopping the news-boys' cries as their character will be by this movement.

The news-boys who, left to themselves, have observed the Sabbath laws very respectfully for two weeks past, were heard yesterday morning crying out quite lustily the names of the Sunday papers. The exertions of certain Aldermen—no better than they should be, and journals no better than the Aldermen—to throw discredit upon the movement for the enforcement of the Sunday laws, are probably at the bottom of the news-boys' rebellion. Perhaps the boys trust a little too to the hope that the policemen, true to their antecedents, will relax their efforts to suppress such a crying evil, after such an extended obedience to the orders of the Police Commissioners.

From the Tribune.

THE CRYING OF NEWSPAPERS through our streets on Sunday morning is a public nuisance, which we would gladly see abated. * * * The instructions issued to the police to prohibit boys from crying Sunday papers through the streets has had a marked effect in abating the nuisance. The boys keep a close mouth when they see a policeman about. As a policeman is stationed in front of every church, the annoyance to which church-going people was subjected by the news-boys is almost entirely abated.

From the Sun, May 21.

THE SUNDAY MOVEMENT.—A strong effort is being made to put a stop to crying newspapers on Sunday—first by application to the Sunday newspaper publishers themselves, and next to the Mayor and Police Commissioners. It will be seen from the memorial that this is no fanatical, religious crusade, in any sense of the term; no effort to force a conformity to any special creed; but simply an attempt to protect the rights of every one to quiet and rest one day in seven, free from annoyance and disturbance by others. Whatever may be the opinions of anti-Sabbatarians on the manner of observing the Sabbath, they will not, we think, question the propriety of preserving to every man one day of rest out of every seven, if he desires to take it.

In this case, the memorialists ask less than the spirit of existing laws already grants, and we cannot doubt that the Board of Police Commissioners will promptly meet their wishes to the extent of their lawful powers. Except by a total suspension of their business, the newspaper publishers have less control over the manner of disposing of their respective sheets than is generally supposed. They do not employ the newsboys, but sell their papers in large quantities to carriers, agents, and boys, knowing no difference between those which are to be quietly left at the houses of subscribers, and those which are to be cried aloud in the streets. The reform sought must, therefore, be effected through the enforcement of the present laws.

From the Daily News, May 22.

SUNDAY CRIES.—A movement will be commenced to-morrow (Sunday) to put an end to the crying and bawling of newspapers and other articles through the streets on that day. This is a reform much needed. There is no necessity for yelling and screaming all day through the streets, Here's the *Herald*, *Atlas*, and *Times*, or milk, fish, and clams, to the disturbance of everybody but the vendors. Let these articles be served to those who wish them in a proper and decent way, on Sunday at least; or if papers must be hawked about, let them be carried in silence, as an Italian carries his images on his head, depending on the eye for a customer, instead of his throat.

SUNDAY NEWS-CRYING ILLEGAL.

From the Journal of Commerce, May 20.

Two decisions within the past year have a direct bearing on a nuisance of long standing in this city. We cite them for the information of our readers, and with the hope that our magistrates will bear them in mind when seeking to promote the quiet and morals of the metropolis.

Judge Thompson, of Philadelphia, decided as follows :

" *The crying of newspapers in the public streets on Sunday is a breach of the peace.* As well might the oysterman cry his oysters, or the charcoal man ring his bell. The peace of Sunday may be disturbed by acts, which on other days cannot be complained of—such acts as interfere with the rights which the law vouchsafes to the people who desire to observe that day as a period of religious observance, and of rest from worldly business. It is the duty of Courts to uphold the institutions and laws under which our liberties have grown and prospered."

Judge Roosevelt, of this city, in the case of *Smith vs. Wilcox*, involving the question "whether a contract, however clearly proved, and however obligatory in honor, to advertise in a Sunday paper, can be the subject of a legal action," decided that such a claim "cannot be recovered in any Court of this State." His ruling was, that although a paper be printed on Saturday night, "the paper was to be issued on Sunday, to be distributed on Sunday, to be sold on Sunday, and to be read on Sunday," and was thus a violation of the statute prohibiting "servile labor or working on that day, excepting works of necessity and mercy," and the exposing "to sale of any wares or merchandise."

"A newspaper is clearly an article of merchandise. Admitting, then, that the crying and carrying of a newspaper about the streets was a mere pastime, and not a work of labor, its sale, notwithstanding, in that manner, would be an unlawful violation of the prohibition which declares that no person shall expose to sale any merchandise, wares, &c., on Sunday.

"It is this *exposure to sale*, and the consequent disturbance of the quiet of the day, and not the sale itself, which in this State constitutes the illegality of the transaction. * * * The prohibition of merchandising, as it was called, on Sunday, is as old in our law as the statutes of King Athelstan. * * * In any view of religious obligation, it would be difficult to contend that the reading of advertisements in a Sunday newspaper, or aiding a person to do so, is a work either of necessity or charity. The mind certainly in that day requires no such sustenance. And even as a matter of taste, it must be admitted that common business advertisements of buying and selling are a very unsuitable outfit for a feast of reason. Six days, at all events, of such diet are enough. Thought perpetually running in one channel, like matrimony in one family, dwarfs the intellect. It is rather, therefore, a work of charity in such cases to withhold than to give. Abstinence, not sustenance is what is needed."

The honorable Judge has embodied in a single sentence one of the most weighty arguments against secular occupations on the Sabbath ever penned: "*Thought perpetually running in one channel, like matrimony in one family, dwarfs the intellect.*" It is an unanswerable objection to the publishing, vending, crying, or reading of Sunday newspapers. "Six days of such diet are enough;" the intellect and the heart need something else than business and amusement, or they become *dwarfed* and debased.

THE RELIGIOUS PRESS ON THE MEMORIAL.

From the Observer, May 27.

ONE SUNDAY NUISANCE ABATED.—The citizens of New York have been blessed with one quiet Sabbath. On waking last Sunday morning their ears were not saluted with the intolerable cry of the newsboys, which has for years been the chief public grievance of that day. Not a sound of this nature was heard. We are indebted for this deliverance, in the first place, to the earnest remonstrance of our most influential citizens, and, in the next place, to the police authorities for their energetic enforcement of the law. We trust that this nuisance is effectually abated.

From the Observer, June 3.

HONOR TO WHOM HONOR.—Public officers are public targets. Every penny-a-liner may give them a shot for some real or fancied delinquency. It must be confessed that for many years there have been repeated occasions for censure in our ill-governed city. But the habit of fault-finding ought not to be carried to the extent of overlooking or undervaluing the efforts of our magistracy to restore the reign of law and order. And now that we have an honest Mayor and an efficient Police Board, they should be made to feel that their attempts to suppress vice and crime are appreciated, and will command the univer-

sal support of good citizens. They are grappling manfully with chronic evils, entrenched in the selfishness and baser passions of considerable numbers. Gamblers and policy-dealers and Sabbath-breakers are a power in the metropolis. It will require no little courage and firmness of purpose, backed by the intelligent and orderly classes of society, to route the hordes who have so long defied the officers of law, and prostituted the rights of citizenship.

In the matter of abating Sunday nuisances, the action of the Police Commissioners will commend itself to all but interested parties. Religious considerations aside, and taking the lowest view of the question, an overworked city needs rest and quiet one day in seven. Our laws provide for this; but for a quarter of a century these laws have been null and void. Our streets have been given up to newsboys, and our Sabbath mornings have been made hideous by their yells. Quiet was impossible. A few hundred urchins were suffered, without molestation, to annoy half a million of people. At last the police authorities, at the instance of a numerous body of memorialists, and in accordance with the wishes of almost our entire population, have laid their hands on the nuisance, and it has disappeared, we hope for ever. Some of the Sunday papers, notwithstanding their disclaimer of all responsibility for the manner of selling their sheets, bluster and threaten vengeance. But they mistake the stuff our magistrates are made of, and they know little of public sentiment, if they suppose the reign of lawlessness is to be perpetuated, even though an illegal and immoral press shall strive to sustain it. We can assure those in authority that a calm, faithful carrying out of our statutes which contemplate the adequate protection of the rights of person, property, and worship against all trespassers will command the respect, gratitude, and support of the citizens of New York.

From the Evangelist, June 3.

SUNDAY NEWS CRYING.—The effort commenced by some of our oldest and best citizens for the promotion of the better observance of the Sabbath, finds its first success in abating the nuisance of crying newspapers on Sunday morning. It is now two weeks since the General Superintendent of Police issued his instructions, first to warn every offender, and next to arrest every one disregarding the warning. Beyond some ill feeling on the part of a portion of the Sunday press, no opposition to the measure has been manifested, and we chronicled last week an almost entire cessation of the annoyance that church-goers and quiet people have endured (not without complaint, but without action for relief) for upwards of twenty years. Quite to the surprise of all, one of the Sunday papers has published a card, signifying its readiness to "obey the law," and last Sabbath was a repetition of the preceding. It ought to be understood that the movement is solely against the public profanation of the Sabbath, and as such is directed only against the *crying* of the papers—not against the business of publishing papers bearing the date of Sunday. * * The press generally expresses approbation of the change, and the obligations of the community to the Superintendent of Police and his staff for their discreet and efficient services in the matter.

From the Christian Intelligencer, May 26.

ONE NUISANCE LESS.—The Commissioners of Police deserve universal commendation for the promptness with which they have acted on the memorial of citizens against the crying of newspapers on the Sabbath. The manly order of the General Superintendent of Police followed their action immediately; and the effect was obvious in the diminished noise of the newsboys, and in an approximation to a quiet day. Next Sabbath we may hope for full relief from one of the most annoying forms of Sabbath desecration of twenty years' standing. Why would it not be appropriate to give thanks to God for a restored blessing, and to pray for wisdom and firmness to be given to the worthy magistrates who have attempted this reform?

From the Intelligencer, June 3.

THE NEW SABBATH IN NEW YORK.—We observe a general congratulation of each other, among all good people, at the recent change in the character of our day of rest. The nuisance of the newsboys' cries has entirely ceased. Formerly Christians in their private devotions, their household worship, and even in the sanctuary of God, were frequently and painfully disturbed by these noisy outcries. Very many respectable people who did not profess godliness, yet agreed with those who did, in denouncing this gross,

offensive, and needless violation of the Lord's day. Yet these denunciations, the remonstrances of clergymen, and the diatribes of the religious press, were for many years of no avail. Now, however, by the regular, deliberate, determined action of the police, the nuisance has for two weeks been effectually abated, leaving no room for doubt, that the good work can and will be indefinitely prolonged in the future.

Great honor is due for this result to the Sabbath Committee for their judicious action in the matter, and to the Commissioners of the Metropolitan Police, for the decided stand they have taken, and the quiet but effective measures they have initiated. Both these bodies have earned the good will and confidence of all who desire to "remember the Sabbath day to keep it holy."

From the Examiner, May 25.

The result of the above order was an almost complete suspension of the yelling which has heretofore assailed the ears of our citizens on the morning of the Sabbath. People had so thoroughly disciplined themselves to a patient endurance of this abomination, that they were unprepared for the sudden transition. It was a Sabbath such as New Yorkers had not been privileged to enjoy for a long period of years—silent, tranquil and solemn—an eloquent tribute to an enlightened Christian civilization. May we have many such.

From the Chronicle, May 23.

It is sufficiently abhorrent to the moral sense for a man to prosecute, even in a quiet manner on the Sabbath, his secular calling; but when he does it openly in the streets, and employs neglected and wayward boys to cry his news through the city from one end to the other, it becomes a grievous nuisance which our authorities are imperiously called on to abate. In no other city in which we ever spent a Sabbath, in this country or abroad, have we ever met with anything of the kind. In Paris and other Catholic cities, the Sabbath is indeed disregarded; but we have no recollection of hearing the vociferous crying of newspapers which disturbs the quiet of our Sundays here in New York. Why, therefore, should it be tolerated? We are glad to give place to a memorial on this subject, signed by a large number of our principal citizens. And we are still more pleased to find that this and similar movements are producing their effect. Last Sabbath, for the first time in years, our streets were undisturbed by the shouts of newsboys.

From the Christian Advocate, June 1.

OBSERVANCE OF THE SUNDAY LAWS.—Sunday, the 23d ultimo, was an important era in the history of modern New York. It was the day when an effort was made by the police to obtain an outward show of respect for the observance of the Sabbath. In the 15th and 17th Wards the shops were generally closed. In the 14th, 8th, 5th, and other down-town Wards, the shops were partially closed. In the 6th Ward some of the most obstinate liquor dealers gave in, but most of the shop-keepers, Jews, and others in Chatham-street, were in full blast. The newsboy cries were stopped, as a general thing.

From the Way of Life, May 20.

It is exceedingly gratifying to learn that our city authorities have pledged themselves to abate the nuisance caused by the crying of Sunday newspapers in front of our churches, and near our homes. We trust that our readers will use their influence every where against the sale of newspapers of every description on the Lord's day.

THE SUNDAY PRESS ON THE MEMORIAL.

We present a few extracts from the teeming columns of the Sunday newspapers, showing their tone and character:

From the Sunday Dispatch, May 9.

* * The newsboys must organize in self-defence; they, too, can call public meetings and appoint committees, and, if we are not greatly mistaken, they will prove quite a match for this Sabbath Committee and the clerical instigators who have prompted the sly meanness that has marked the recent attempts to revive Puritanical coercive Sunday observance. It is not many years ago since the newsboys had to appeal to the public against a similar persecution. The public supported them then, and will do so again.

Let them once more call a public meeting in the Park, and they will find that any attempt at picayune dictation on the part of trumpety bigots and hypocritical dullards is not at all to the taste of this community.

Same journal, May 23.

We suggest to the Sabbath Committee to offer premiums to the policemen who shall show most activity in capturing newsboys. Let them say—a free “conversion” to every man who takes a dozen prisoners; to him who captures two dozen of the wretches a “free admission” to a Fifth Avenue church, and to him who seizes the greatest number, a copy of the “respectable sixpenny” that was “down on” Commissioner —.

Same journal, May 29.

The whole movement is an outrage against civic rights, based on the most shallow pretexts. Its instigators are designing hypocrites. We propose, by temporarily changing our day of publication (to Saturday), to show these sleek and “most influential” parsons and pettifoggers in aristocratic piety in their true light. We are fully aware of the encroaching spirit that animates our picayune “aristocracy,” that causes them to chafe and fret at the idea of the poor and vulgar herd enjoying one day out of the seven, free from their upstart dictation. These petty tyrants, with the souls of promoted flunkeys, are not satisfied with growing rich from the blood and toil of men, who for a wretched pittance serve them six days in the week; they are not content with reducing the people almost to a condition of slavery in their workshops, but would put the badge of servitude upon them at their own firesides. In their pitiful arrogance they affect to look upon the principle of equal freedom as a dangerous heresy, that must be suppressed. * *

We warn these hypocrites and clerical sycophants to be cautious how they tamper with the forbearance of the public, and arouse that public indignation which, once excited, will hurl them from the precipice to which their unrebuked pride has urged them to climb, or rather crawl! And these be your gods, Oh, ye sapient and supple Metropolitans!

New York Dispatch, June 5.

Where is the evidence that the Sunday, which these besotted pretenders to optimism in morals and religion seek to control for their own purposes, was even the day designated on Mount Sinai in which man should do no work? These questions should have presented themselves to the Police Commissioners before they submitted to the degrading task of subserving the views of an insolent and supercilious set of pharisaical vagabonds, whose real motives for urging the war against the Sunday press may be found in the fact that the chronic iniquities of the class to which they belong, and which they would fain screen from public scorn and execration, find no mercy at the hands of that institution. The forgers, —, and —, and the delinquents, —, and —, are all members of the same fraternity of pious and aristocratic plunderers, who have so long preyed upon the vitals of this abused community, and whose conspiracy against the liberty of the press is only a desperate attempt to secure immunity from their crimes.

* * Our own observations on Sunday last convince us that the Police Commissioners have no idea of attempting the enforcement of the obsolete Sunday laws—their resolution to the contrary notwithstanding. The only thing attempted was the suppression of the Sunday cries of the newsboys. Even this part of the programme was but imperfectly enforced, as the police found themselves rather puzzled to know what to do with the refractory boys. In a few weeks this whole crusade will be forgotten.

From the Sunday Mercury, June 6.

RELIGIOUS PETER FUNKISM.—The “unco-righteous,” as Burns characteristically calls them, are delighted at their “penny-dip” victory over the tongues of the newsboys. The gentlemen of the Fifth Avenue, who toil so energetically through the week that they must, they really must, lie late abed on Sabbath morning, are overjoyed that the voice of the little newspaper dealers no longer disturbs their luxurious repose. * * Nothing could more effectually demonstrate the hypocrisy of these Sabbatarians, who work their own servants to death on the Sabbath, while they piteously implore the law to prevent other people from laboring on that day, than the petition they sent in to the Police Commission-

ers. The church bells, forsooth, do not disturb their cosy slumbers, but the cry of "'Ere's the Sunday Mercury, on'y four cents," throws them into a paroxysm of wakefulness. The church organ and the opera singers in the church choir do not affect their devotional nervous system, but the sale of a newspaper that has the independence to laugh at their affectation and expose their duplicity, afflicts them like an attack of neuralgia in the ears. * * The distant music of the newsboy's vocation fills them with all the gall and bitterness of humbug Christianity. The petition says it even mars their "domestic conversation," and surely the conversation of the broken-down bankers, commission merchants, *parvenu* soap-fat dealers, and financial *chevaliers d'industrie* who constitute the religious Peter Funks engaged in this movement, is too precious to be sacrificed because only two hundred thousand better citizens than they desire to read the news! What is the convenience of a quarter of a million of sensible people, when placed in opposition to the wishes of one hundred and twenty of the *elite*, the very "faucy" of Fifth avenue Christianity?

From the Sunday Mercury, June 6.

The war that has been, and still is, waged over the shoulders of the poor newsboys against that press which dares to exercise its legitimate rights on every day of the week, will be as impotent as it is absurd and fanatical. For a time the Sabbatarians may be able to frighten the Mayor and Police Commissioners into lending their countenance and support to their crusade against us; but we think we shall soon be able to teach those officials that there is a power greater than a miserable clique of fanatics and hypocrites, which should command their respect. The people, who elevated them to office, will mark the men who lend themselves to the furtherance of the selfish ends of the Sabbatarian clique, and we promise them that they will not be overlooked by us at the proper time.

The *right* of the newsboy to sell and cry his wares in the streets of New York is coincident with the liberty of the press, and that liberty shall ever find in us an uncompromising and determined defender.

From the N. Y. Herald.

One of the greatest reforms has been introduced that has been effected in any city or country since the expulsion of the Jews from Egypt—nothing more nor less than the gagging of two or three dozen ragged newsboys, who have been in the habit of profaning the blessed Sabbath by crying aloud for their bread in the public streets on that holy day while blundering office-holders, swindling hypocrites and common thieves were on their way like honest people, to church.

From the Sunday Courier, May 30.

"AN UNMITIGATED NUISANCE SUPPRESSED."—Under this head, the "Journal of Commerce," on Monday morning, said: "Yesterday was a Sabbath such as New Yorkers had not previously been privileged to enjoy for a long period of years—silent, tranquil, and solemn; an eloquent tribute to an enlightened Christian civilization. May we have many more such." On Sunday last, about two, P.M., we happened to be walking down Fulton street, when we met a military funeral, with a band of music, making more noise than all the newsboys in creation could possibly do, if they were all to unite their voices in screaming. At the same time there were church bells clanging and banging in every direction, filling the air with loud brassy sounds, that smote most harshly upon the ear; all the railroad cars were running, making a most thundering noise; and there were hundreds of private carriages rattling down Broadway and through the cross streets. Steamboat bells were dinging at the wharves, and steam pipes were hissing and screaming; the wind was blowing just as hard as on any other day, dogs were barking, the waves were dashing against docks without the regard to the day, and the bustle about all the ferries were no different from what they are on other days. And yet because a dozen or so of small urchins had been deprived by the valiant police of the privilege of selling papers to furnish themselves the means to pay for their cakes and coffee, the hypocritical "Journal of Commerce" could have the lying meanness to say "that the day was silent, tranquil, and solemn; an eloquent tribute to an enlightened Christian civilization." The poor sneak who wrote that sentence must have tried very hard if he did not exhibit the conscious look of a knave when he penned it.

From the Sunday Courier, May 30.

THE SUNDAY DISPATCH DEFUNCT.—We are very sorry to announce, that the "Sunday Dispatch," which has so long occupied a prominent position among the Journals of this city, has ceased to exist. The "Dispatch" has now become a Saturday paper, and will doubtless be just as Dispatchy as ever, though its characteristics as a Sunday paper will be no longer maintained. The proprietor has been induced to change the day of its publication, as he states, out of deference to the expressed wishes of about a hundred citizens, who had made a protest against Sunday papers. We think, for our own part, that the wishes of the 270,000 people who read the Sunday papers are entitled to as much respect as those of a hundred men who do not read them, and as long as a large and intelligent public demands a Sunday morning paper, we shall continue to publish one for their benefit. But the "Dispatch" gives a much better reason than this for changing their day of publication. They are going to boldly and persistently contest the question of the constitutionality of our Sunday laws, and in order to do this effectively they think it necessary to put themselves on the right side so far as the technicalities of the law go. In this view of the case the change is one to be commended, and the "Dispatch" will have the good wishes of every opponent of narrow-minded bigotry and fanaticism.

From the Sunday Atlas, May 30.

The "Dispatch" is no longer to be published on Sunday. It is now the "New York Dispatch," and is issued on Saturday afternoon. We do not exactly comprehend Alderman Williamson's idea of changing his publication day; but we are positive he has not joined the church. Yesterday's "Dispatch" opens a heavy battery upon the sanctimonious Sabbath Committee, and discusses the whole Sunday question with masterly ability. We have an idea that the Alderman prints his paper on Saturday, so as to afford the narrow-minded hypocrites he pounces upon, an opportunity to see themselves in his mirror, without being subject to the necessity of reading a "wicked Sunday journal."

From the New York Leader, May 29.

THE SATURDAY PRESS.—It is more than one year since the "Leader," as a concession to public sentiment, altered its day of publication to Saturday. The change was a hazardous one, and against the advice of friends we tried the experiment, trusting to the merits of the paper to maintain its position. For some time we suffered by the change, but an unflinching perseverance carried us through every difficulty, and we may truthfully say that the "Leader" has established the fact that a weekly Saturday paper can be supported in this city. We have found that our experiment has resulted profitably, and though a combination of interests attempted to cry down our enterprise, we have triumphed over all opposition, solely upon the superior merit of our columns.

We have prospered, and the public, to whom we are indebted for our success, has rewarded our exertions generously as the pioneer of the Saturday press. The "Dispatch," following our example, has altered its day of publication, and to-day is issued as the second Saturday paper. We greet our neighbor cordially, and know that its enterprising publisher will be successful, as we have been.

From the Sunday Atlas, June 13.

It is but few privileges the poorer classes enjoy in this city, and one of them is the right to employ Sunday in their own way. To do a petty trade in candy and fruits, or to sell newspapers, or any other trifles on Sunday, by which a few pennies can be realized, has always been the privilege of the poor. Deny them that, and the rich may reasonably expect an onslaught upon all the immunities they now enjoy, from a strict enforcement of the laws. Norman White, Horace Holden, Peter Cooper, H. M. Schieffelin, and their associate signers of the memorial for the abrogation of the Sunday newspaper traffic, *don't comprehend, as yet, what an enormous devil they are going to raise*, if their ideas are to be carried out.

THE SABBATH IN EUROPE:

THE HOLY DAY OF FREEDOM—THE HOLIDAY OF DESPOTISM.

SABBATH COMMITTEE'S DOC. NO. IV.

(FOURTH EDITION.)

[THE Corresponding Secretary of the New York Sabbath Committee, on the eve of his departure for Europe for domestic reasons, was requested by the Committee to confer with the friends of the Sabbath in Great Britain and on the Continent, and to investigate the influence of a holiday Sunday on the social, moral, and religious condition of the people. The results of these inquiries, and of somewhat extended observation during two years of European travel, in 1853, '56, '57, are herewith submitted. They may have value as affecting the important question of the comparative safety of observing the Lord's Day as a *holiday* or a *holy day*.]

THE SABBATH IN SCOTLAND.

Leaving New York in the Persia, July 7, my first Sabbath on shore was spent at Glasgow. There, in the largest commercial city of Scotland, the external observance of the Lord's day was almost as complete as in a New England village of olden time. Business of every kind was suspended. Every dram-shop was shut. The commerce of the Clyde stood still. Excepting at the hours of worship the streets were mostly deserted. The principal line of railway—from Glasgow to Edinburgh—was entirely closed; but lines connecting with the English railway system continue their traffic. As a whole, this Sabbath in Glasgow approximated one's ideal of a Christian Sabbath for a great city—a day of general rest and worship; a home, apparently, for everybody, and everybody at

home; churches for the people, and the people at church. Of course there must be darker shades to the picture; probably there are thousands of Sabbath-breaking, unevangelized souls in such a city. I speak only of the external aspects: and they certainly do great honor to the Christian sentiment and the municipal government of Glasgow.

The improvement within the past five years has been very great, owing chiefly to the operation of the "Forbes McKenzie Act," which effectually closes all dram-shops from 11 o'clock P.M. on Saturday until 8 o'clock A.M. on Monday; and to the zeal and benevolence of John Henderson, Esq., an eminent merchant, and others, in diffusing light as to the claims and blessings of the Sabbath, and in providing spiritual instruction for the poor. "The McKenzie Act" deserves careful attention. It is officially stated that it has diminished fully one third the arrests for crime, drunkenness, and disorderly conduct; while its influence on Sabbath quiet has been very marked. The Superintendent of the Glasgow Police reports a continued "improvement in respect to order and decorum in the streets on the Sabbath-day; and on Saturday nights, by 12 o'clock, peace and good order are obtained, instead of as formerly, a state of turmoil and disorder the whole of Sabbath morning. In no place," he says, "is the difference more observable than in the police offices, where Sunday used to be a busy day, but it is now perfectly quiet; and it is not unusual for a whole Sabbath to pass without a single case of any kind brought in. The lieutenants are now at liberty to go to church, and the turnkeys have now little else to do on Sunday than to read their Bibles. * * * I have no doubt that to the new Public House Act we are wholly indebted for our comparatively quiet and orderly Sabbaths."

Ninety-five of the ministers of Glasgow unite in making a similar statement; and like testimony is borne by the magistrates and others of Edinburgh, and nearly all the large towns of Scotland.

An important object in visiting Glasgow was to confer with Mr. Henderson, to whose wise beneficence Great Britain and the world owe so much in many relations, but especially in connexion with Sabbath observance. His liberality prompted the premiums for essays by working men, which elicited "Heaven's Antidote for the Curse of Labor," "The Pearl of Days," etc., and gave them a circulation of tens of thousands among the laboring classes. His philanthropy prompted measures for rescuing cabmen and kindred classes from the thralldom of seven days' toil. His agency may be traced on the Continent in many a scheme for restoring a lost Sabbath and a lost faith. On his return from Edinburgh on business

connected with the Bible Society, I drove with him to his beautiful seat overlooking the Clyde; and I had the pleasure of a subsequent interview in London, as he was passing to Holland on an errand of benevolence. The views and plans of your Committee accord entirely with Mr. Henderson's, and we may rely on his counsel and aid at all times. His publisher, in London, supplied me with copies of all the works issued by his agency—some of which may well be republished in the United States—and he will use to advantage a large number of some of the documents of this Committee.

I employed the "machine" of an old blacksmith when returning from Park to Glasgow (10 miles) at night, the railway train having failed me. The old man was a noble specimen of the Scottish laborer, trained under the Sabbath and the Gospel. As a friend of Mr. Henderson's, his heart was opened to me; and he poured forth rich stores of Christian wisdom and experience as we trundled along a dark road. The facts of the American revival had refreshed his spirit, and formed the subject of protracted inquiry and remark. The bearings of Sabbath sanctification on the family and the individual had been matters of profound thought and blessed experience. His conversation was so imbued with Scriptural language and imagery as to make some of his utterances truly eloquent. Humble as is his station in life, one could not but feel a reverence and respect for that old Christian which learning, and rank, and wealth alone could never inspire. But the reflection is inevitable that such characters are only formed under the influence of the Sabbath and the Bible. When we parted at the door of my hotel, he refused the piece of gold tendered in reward for his kind service: "Na, na," said he, "I'll na take the like o' that, nor the hauf o' it. 'Tis a gude talk we've had anent the kingdom of God. Ye're a friend of Mr. Henderson's, and he's doing mair for the evangelization of Britain than any man in it. Good-bye, and may God bless you."

At *Stirling* I spent a day with my valued friend Drummond, another active friend of the Sabbath, and one of the most enterprising Christians in Europe. Just ten years ago, "Peter Drummond, seedsman," then at the head of a very large agricultural warehouse, grieved at the increasing desecration of the Lord's Day around him, caused some tracts to be written, published, and circulated at his own expense. The success of his efforts for the Sabbath led to the "*Stirling Tract Enterprise*," which has come to be one of the most efficient and far-reaching of the schemes for popular evangelization in the Old World. Though still solely an individual effort, Mr. Drummond is now issuing his *twenty-second*

million of tracts, and has expended some \$10,000 beyond his receipts in diffusing them among the destitute. Five years since he began the "British Messenger" (prompted by the usefulness of the "American Messenger"), which has now a circulation of 110,000 copies, and which seems likely to introduce a new era in the popular religious literature of Great Britain. Besides a large and useful series of Sabbath Tracts, the "Messenger" employs its columns in defence and commendation of the day of rest. The individual energies of Mr. Drummond, and of the excellent Editor of his publications, the Rev. Wm. Reid, are now devoted to the revival of spiritual religion; and he is the mainspring of a system of agencies which the Holy Spirit is blessing in the salvation of multitudes.

A work of much research on the Sabbath is in press, by the Rev. Mr. Gilfillan, of Stirling, from whom I received valuable information respecting the Sabbath question in Scotland.

At *Edinburgh*, I had profitable interviews with Dr. Greville, Secretary of the "Sabbath Alliance;" Professor Miller, of the University, and author of "Physiology of the Sabbath;" Rev. Dr. Cunningham, President of the Free College; Rev. Mr. Cameron, of the "Christian Treasury;" Mr. Bayne, of the "Witness," and others: and became familiar with the methods successfully adopted for the protection of the sacred day in past years. Little active effort is employed at present: happily, little is needed. As a people, the Scotch "Remember the Sabbath-day to keep it holy" as in no other land, excepting Wales; and they love to trace the connexion between this national trait and their high state of worldly thrift and religious advancement.

The temptation is irresistible to sketch the interior Sabbath arrangements of a Scottish Christian family, as an illustration of the blended holiness and happiness of the home day, and as a refutation of the alleged connexion of "gloom" with sacred hours. An intimate friend and correspondent, whose hospitalities I had enjoyed on the Clyde, in 1853, had recently transferred his summer home to the southern part of Scotland. Letters at Edinburgh kindly urged a visit, which embraced the Sabbath. My friends have a large household, with children ranging from infancy to early manhood. They are in affluent circumstances, and occupy a high social position. While actively concerned in the various schemes for benefiting their country and the world, the duties of domestic life are discharged with remarkable system, fidelity, and success.

Saturday is spent as peculiarly a *social* day, when the parents interest themselves in the amusements of their children, and seek

to cultivate their affections. At night, the little ones collect their tools and noisy playthings, and put them aside till the Sabbath is past. But the smaller children have the use of the newest and most attractive of their quiet toys—the mother deeming it inexpedient to remove the means of diversion from the hands of those who are not old enough to enter into the spiritualities of the day, and to whom some form of amusement is as necessary as food or sleep. These amusements, however, are to be quiet, so as not to disturb those of maturer years, who have Sabbath occupations appropriate to their age. By means of dissected pictures, a large letter-box, drawing diagrams of missionary and Bible scenes, and like devices, the tenants of the nursery are interested by the hour. The older children attend their mother for their morning prayers and texts—praying in their own language, followed by her petitions in their behalf—always remembering to pray for the Sabbath. At morning family worship, which is attended by children and servants, only the narrative parts of Scripture are read—the portion for the day having been explained to the children by the mother on the previous evening. After breakfast, the children go in turn, beginning with the youngest, to the library, where they meet their father, who has been furnished with the daily record of their conduct and progress in study, and who prays and converses with each child. The topics of conversation during the day are drawn from the various objects of benevolence in which the family are interested—the Sabbath schools in which they teach; the religious services they attend; the books they are reading, etc.; leaving no need of resorting to the worldly matters of the secular days. All is cheerful and free from constraint or “cant.” The “charity-purse,” replenished from week to week by rewards for good conduct or self-denials, is opened on Sunday morning, and the decisions of the previous evening as to the amount to be contributed to one or more of the twelve objects embraced in their benevolence are carried out. The missionary cause is a favorite, four boxes having been added, at the request of the children, to the one originally procured for India. Missionary maps, pictures, and curiosities, add interest to their family meeting for missions.

After public worship and dinner, each child tells a story, a hymn is sung, and the texts learned during the week are repeated; but no lessons are learned on the Sabbath, even by rote: it is in no sense to be a *task* day. When the younger children have retired, the more advanced read the notes of the sermons they have heard (I can testify to the accuracy of some of their reports); and later in the evening the servants assemble for family reading, and expo-

sition of the Scriptures, with the aid of maps and diagrams, closing with prayer. This service lasts an hour or more, and is prized highly by those for whose benefit it is designed.

Such is the routine for the Sabbath in one of the Christian households of Scotland. Can one expect to witness a more beautiful or instructive sight till he reaches heaven? The influence of such a Sabbath is as visible as light: it will be lasting as eternity. The order of the family is perfect. The affectionate obedience of the children is admirable. Unrestrained familiarity with their parents; easy grace in their intercourse with strangers; quick intelligence alike in secular and sacred things; an unselfish interest in all around them; a disrelish for everything mean and vulgar; a cheerful and even frolicsome temper;—such are the fruits of this Sabbath training. Religion is in-wrought with all the associations of a happy childhood and youth, and hallows and ennobles every joy. Ask one of the inmates of that home about the “asceticism” and “gloom” of the Sabbath, and they will tell you the words have no place in their vocabulary; that it is the

“Day of all the week the best,
Emblem of eternal rest.”

I am aware that such an example of Sabbath observance can only be imitated fully by families somewhat similarly blessed with means and leisure. But every Christian parent may gather profitable hints, and may be incited to the more perfect improvement of the precious hours for personal and domestic culture in spiritual things. And those to whom the Sabbath is a weariness may see how immeasurable is the loss to a family in foregoing the priceless privileges and neglecting the high duties illustrated in the preceding sketch.

I may add that my friend, whose residence is remote from churches, has fitted up his stone barn as a place of worship for the neighboring peasantry. When I parted with him, two colporteurs were receiving their outfit from the stores of religious books and tracts in his parlor, for a “fair” in a neighboring town. It is to his Christian zeal that Scotland is mainly indebted for the introduction and successful operation on a large scale of the system of colportage.

THE SABBATH IN LONDON.

A Sabbath in London afforded less satisfaction than those in

Scotland. Notwithstanding the general suspension of business in respectable quarters, and the orderly observance of the day by a large part of the population, thousands of petty shops were open for traffic; omnibuses, railways, and cabs, continue their trips—with few exceptions—and many forms of desecration exist. The notable exception, in the complete suspension of mail deliveries in the metropolis, is honorable to the government and people of London. Sydenham Palace, the Zoological and Kew Gardens are opened to shareholders on the Lord's day; and strenuous efforts are making by the "National Sunday League" to open the British Museum and the National Galleries, a petition to this effect, numerous signed by professors of universities and literary men, having been recently presented to Parliament under the leadership of Lord Stanley. This measure is likely to be urged at the next session of Parliament, and will test the strength of the friends of a British Sabbath in contrast with a Continental Sunday. There would be less ground for apprehension as to the result, if the leading newspaper journals of Great Britain—unlike those of the United States—were not under the control of men, indifferent, or hostile to the interests of the Sabbath; and if its friends trusted less to class influence and prescriptive claims, and more to popular conviction. The example of concession in England to Continental influences would be disastrous to this country; and every true friend of morals and religion among us must desire that the existing barriers against them may be strengthened rather than overthrown.

I enjoyed the benefit of repeated interviews with the experienced Secretary of the London "Lord's Day Observance Society"—the Rev. J. T. Baylee—which has done most effective service for twenty-five years. This organization is confined to the Church of England; but co-operates cordially with societies of a more general character, as occasions arise. In connection with the "National Lord's Day Rest Association," composed wholly of laymen, of which Mr. Henderson, of Park, is President, some interesting measures are on foot in behalf of cabmen; and recently Miss Marsh, the benefactress of the "navvies" and the authoress of "Capt. Headley Vicars' Life," "English Hearts and English Hands," etc., has undertaken an important mission for their benefit. The excellent editor of "The British Workman," whose fraternal kindness I have often experienced when visiting London, renders valuable service to the Sabbath cause through the widely-circulated journals under his control. These, and kindred efforts, are associated with unwonted plans for popular evangelization in England. Open-air preaching in numerous localities, and earnest religious services in

Exeter Hall, St. Paul's Cathedral, Westminster Abbey, and elsewhere, with the co-operation of the dignitaries and clergy of the Church of England, as well as Dissenters, all betoken a revived state of religious feeling and effort. The thorough education and evangelization of the masses is the grand desideratum in Great Britain. That would save the Sabbath: the Sabbath rightly observed would secure that.

THE SABBATH ON THE CONTINENT.

A Continental Sabbath has been often described. By some it has been lauded, and even commended to our imitation. It has exerted no little influence in weakening the restraints of the sacred day in Great Britain and America. As an eye-witness of its character and influence in most of the kingdoms of Europe, Protestant and Papal, I deem it a duty to attempt another sketch, with the hope of undeceiving those who may have been betrayed into admiration of a godless holiday.

There is this characteristic difference between a French, and a German, or Italian Sunday:—In France it is almost wholly a day of business or amusement, without regard to the religious element: while in other portions of the Continent it is common to begin the day with the church, and end it at the theatre, the tea-garden, or the fields. In Rome, indeed, government shops are open, and the lotteries are drawn, with great parade, on the Sabbath—but the people must shut their shops. The sacred character of the day, however, is scarcely recognised throughout the Continent.

A Paris Sunday has become proverbial for its godlessness. Passing along its clean and beautiful streets, you find the Cafés and Restaurants crowded with men, taking their morning meal and reading the newspapers of the day. Cries of fruit-dealers and street-venders are everywhere heard—though the needless abomination of crying newspapers is not tolerated, even in Paris. Paviers, masons, roofers, painters,—all kinds of mechanics are engaged in their usual avocations. Places of business are universally open till midday, as on other days. The whirl of cabs and omnibuses is even more constant than during the six days of the week. I had the curiosity to count the vehicles passing the Industrial Palace, Champs Elysées, mostly going to or returning from the Bois de Boulogne, in the afternoon of the second Sabbath in August—the grand fête day at Cherbourg,—when Paris was emptied of the élite of its fashionable society, and found the average to be one

hundred and forty a minute, or one thousand six hundred and eighty an hour! The grand waterworks at St. Cloud and Versailles play only on Sunday. As the day advances, the gardens of the Tuileries and the Champs Elysées present a scene of unrivalled gaiety and folly. Bands of music execute lively military and operatic airs. Gaudy booths are surrounded with crowds of men, women, and children, absorbed by childish sports. Automata, too silly for the amusement of infants, serve to delight other groups of soldiers and stragglers. Goat-carriages and whirligigs of wooden horses or mimic ships divert the children and nurses. As evening sets in, the out-door concert and drinking saloons flaunt their attractions: brilliant mirrors reflect the fanciful gas-jets; singing men and singing women, accompanied by orchestras below, amuse the multitude with comic, and sometimes immoral songs. Every conceivable device for drawing the people away from home and from God is employed. The Cirque de l'Imperatrice furnishes its equestrian attractions and its mirth-inspiring exhibitions. Adjacent public gardens are thronged with dancers. Operatic and theatrical amusements add their seductive performances. The whole line of the Boulevards is filled with people seated in front of the cafés, sipping their brandied coffee, playing dominoes, or gazing at the promenaders along the broad pavements. Houses and homes (if there be such a thing, without the name, in France) seem to be emptied into the streets and places of amusement, and the city is converted into a pandemonium of folly and of genteel or gross dissipation.

Since the accession of the reigning dynasty, Sunday labor has been suspended on the public works in France; but I observed that the stupendous preparations for the Emperor's fête day fire-works in the Place de Concorde, were in full progress on the second Sabbath in August, the fête occurring on the succeeding Sunday. But on Monday, the Sunday workmen were not there—either because dissipation or over-exertion compelled a day of rest.

Such, without more of detail, is a Paris Sunday. In the light of reason and of the Bible, and of eternity, how does it look? And what are its fruits? Are they not found in the thriftless condition of a vast *proletaire* population—living from hand to mouth—restless in spirit—ferocious in temper—kept from rebellion by a numerous soldiery, or quieted by government labor and food? May they not be seen in the dwarfed stature, and pallid aspect, and wretched inefficiency of the laboring classes, and in the "Blue-Monday" records of employers or of the magistracy—the Sunday dissipation disabling thousands from Monday's occupations, or sending them

to prison? Can they not be traced in the general declension of private, commercial, and political morals—whatever cover the refinement and high civilization of Parisian life may throw over the inconceivable iniquity of its social condition; in the loosening of conjugal bonds, the utter loss of a *home* day, and of all the restraints and joys of home life; in the prevalence of godlessness, irreligion, and infidelity; and in the ascendancy of civil and spiritual despotism? Better would it be for Paris, for France, for the Continent, that no distinction of days were recognised, and that the tide of life were to roll on without cessation, than that the Lord's day should be thus perverted into a day of sinful folly and universal demoralization. Ceaseless occupation, with all its physical evils, and its embroiling influence, would be less disastrous than this devotion of sacred time to godless pleasure.

THE SABBATH IN SWITZERLAND.

In Switzerland, especially in Protestant Cantons, there is a somewhat improved state of Sabbath observance, as compared with Paris; but even in Geneva, as in other considerable towns, there is too little to mark the day as one having religious sanctions or uses. The attendance on public worship is partial and formal; and idle sports, military parades, bands of music, steamboat excursions, and theatrical amusements, undo the work of the pulpit, and rob the day of its spiritual power. Religious convictions have a feeble hold on the popular mind, and Popery is regaining the strongholds it lost in the great Reformation. Recently, the pastors of the Established Church in Geneva and some of the other Protestant Cantons have recoiled from the tendencies of a holiday Sabbath, and have attempted some reforms in this behalf. A few of the leading minds of Switzerland, connected with Free Churches, are in sympathy with the views cherished in Great Britain and America on the Sabbath question. The Rev. Dr. Malan has published largely on the subject; and Dr. Merle D'Aubigné has said, "Order and obedience, morality and power, are all in Britain connected with the observance of the Sabbath . . . The firmness of England as to the Lord's day and other institutions, is an essential feature of the national character, and an imperative condition of the greatness and prosperity of her people."

I was invited to address the "Universal Conference of Young Men's Christian Associations," composed of delegates from Switzerland, France, Germany, Belgium, and Great Britain, in session at

Geneva at the time of my recent visit, and took occasion to suggest the subject of the sanctification of the Sabbath as a fundamental object of their labors,—giving utterance to the deliberate conviction that all evangelizing schemes on the Continent are, and must ever be, comparatively powerless until the Sabbath is restored to its place as the King of Days.

GERMANY.

I was prevented from repeating my visit to Germany, as I had intended; but through personal interviews with delegates to the Geneva "Conference," and by correspondence with well-informed parties, I am happy to report some quickening of interest among Christian pastors, and in other influential quarters, in the due observance of the Lord's day. The subject has repeatedly occupied the attention of the "Kirehentag,"—the immense annual assembly of the German clergy,—and the Kings of Prussia, Saxony, and Hanover, with the governments of some of the smaller duchies, have made some movements for the suppression of the grosser forms of Sabbath desecration. As neological opinions subside, and a spiritual religion revives, this subject will receive more earnest attention. But, as a whole, the Fourth Commandment is practically rejected by both Protestant and Papal Germany; and the blessed institution is perverted into a season of worldly diversion or revelry. As the result, evangelical religion has no pervading power; the pulpit scarcely competes with the theatre and the tea-garden; a Reformed faith has made little progress for three centuries, in the very seat of its early triumphs, and whole peoples, formed and sighing for freedom, are in bondage.

ITALY.

If one may judge of the Sunday habits of the Peninsula by the Sabbaths spent in Naples, Rome, Florence, Padua, Milan, and Arona, including Easter Sunday at Rome—there is little to be said of them other than that they are skilfully adapted for the diversion of a people sporting with their chains; and that we need search no farther for an adequate cause for that enervation of character which renders self-government impossible. Without the Bible, and without a season to study it if they had it; without Sabbath schools, and almost without secular instruction; and with saints' days to strengthen

superstition, and Sabbaths mainly for amusement—Italy has been the plaything of foreign despots, and the hunting-ground of a corrupt priesthood.

GENERAL REMARKS.

Nothing can be clearer to the intelligent observer of European life than that *a holiday Sabbath is a frightful cause of physical, political, and moral degradation to the masses of the people.* A day of worldly pleasure for the rich, makes a day of toil for the dependent classes. An amount of labor is imposed on multitudes, who need rest more than their employers, inconsistent with bodily refreshment, mental improvement, or spiritual culture; while those to whom toil is not made a necessity are tempted to the waste of money, time, and health, in haunts of dissipation. The condition of the laboring classes on the Continent is, for the most part, so deplorable as to excite the liveliest sympathy of the traveller. They are poorly fed—poorly clad—ill-instructed—over-tasked, and without hope of improvement: not merely or mainly because of an overcrowded population and oppressive governments, but because the stamina, of character, and the physical and moral energy which a seventh portion of time devoted to rest and worship—to the family and to God—would bring, are lacking; and God-given hours are devoted to the dram-shop, the tea-garden, and other enervating and corrupting associations. He who made the Sabbath “for man” has ordained the connexion between the sacred day and that *manliness* of character which can brook no bonds.

A Holiday Sabbath is thus *the ally of despotism.* It is a memorable fact, that the only free countries in the world are those in which popular conviction and legal enactment recognize and conserve the sacred character of the Christian Sabbath. One of our most eminent writers, who has “made the French and Continental mode of keeping Sunday a matter of calm, dispassionate inquiry and observation,” has said, “There is not a single nation possessed of a popular form of government which has not our theory of the Sabbath. Protestant Switzerland, England, Scotland, and America cover the whole ground of popular freedom; and in all these, this idea of the Sabbath prevails with a distinctness about equal to the degree of liberty. Nor do I think this result an accidental one.” How should it be “accidental,” when there is the best evidence that Continental rulers encourage Sabbath profanations as a means of unfitting their subjects for the assertion and exercise of their political rights? The historian Hallam reveals a pregnant fact when he

states that European despots "have for many years perceived and acted on the principle that it is the policy of government to encourage a love of pastime and recreation in the people; both because *it keeps them from speculating on religious and political matters*, and because it renders them *more cheerful and less sensible to the evils of their condition*." It may, indeed, be consistent "policy" for despots to pervert the Lord's day into one of "pastime and recreation," lest their subjects should "speculate on religious and political matters" and become "sensible to the evils of their condition." "Yon Cassius thinks too much," said the imperial despot of Rome; "such men are dangerous." But the very life of a free government depends, under God, on such a perpetual "speculation on religious and political matters" as the Bible and the Sabbath and a free Gospel prompt. If we would cling to our institutions, we must cherish the holy day of freedom and religion, and frown on the holiday of despots.

A Holiday Sabbath is *a fruitful source of immorality*. One link of the moral law broken, and that the central one, all are severed. No truth is more established by universal experience than that the violation of the Sabbath is the parent of innumerable vices and crimes. Every magistrate, jailer, and prison chaplain, will confirm this statement. To this effect is the testimony of the experienced chaplain of the Model Prison, London—"We are called to minister in a prison to few but Sabbath-breakers." And the chaplain of Clerkenwell states, "I do not recollect a single case of capital offence, where the party has not been a Sabbath-breaker. Indeed, I may say, in reference to prisoners of all classes, that in nineteen cases out of twenty, they are persons who have not only neglected the Sabbath, but all religious ordinances." Not only the divine precepts relating to the worship of God are rendered nugatory by trampling on the Fourth Commandment; but filial disobedience, unchastity, and a disregard for the rights of person, property, and reputation, stand intimately connected with the voluntary and habitual violation of this ordinance of Heaven. The condition of the marriage institution on the Continent, is a sad commentary on the influence of a dissevered Decalogue. It is in Paris that official records return more than three thousand foundlings annually in a single hospital. It is on the Continent that marriage is discouraged by the laws and prostitution legalized and protected. With governments of no more strength than ours, the Continent would reek with corruption. With such a state of morals as exists in Europe, our Government would be destroyed in a single generation, if not a single year.

A holiday Sabbath is fatal to the growth and prevalence of evangelical religion. Sabbath-keeping and vital piety are so indissolubly associated as to make the former a certain index of the religious condition of any community. The Gospel accomplishes its object as the Sabbath day is regarded according to the purpose of its appointment. Germany reads us a terrible lesson on this point. It was the home of the Reformation, and would have been to this day, but for the false leaven which vitiated the sanctity of the Lord's day. Recoiling from everything positive and ritual in the Papal system, the reaction of the Reformers in the direction of the absolute freedom of the Gospel was a virtual abandonment of the Sabbath, excepting the claims of expediency for its observance. Such a barrier against selfishness and worldliness proved inadequate; and three centuries of the fluctuating—perhaps waning—power of a Reformed faith on the Continent, compared with the centuries of increasing vigor and expansion of evangelical religion in Great Britain and America, attest on a grand scale the vital connexion between Sabbath sanctification and the ascendancy of the Gospel. It will be found throughout Europe that attendance on the means of grace, the diffusion and study of the Scriptures, works of Christian benevolence, all the signs and fruits of a living faith, are graduated and may be determined by the measure in which the Lord's day is held in sacred esteem. As a general fact, the Pulpit has little power; the masses being alienated from its influence, or dispelling its impressions by the misuse of the closing hours of holy time. The Bible is, for the most part, a sealed book, because the season specially designed for its study is devoted to worldly pleasure. All schemes for popular evangelization are feebly conducted, and fail in popular efficiency. The conviction will deepen with every month of observation, that until the Sabbath in Europe is re-established upon its divine sanctions, error and irreligion will abound, and a general reformation and revival of a spiritual faith must be hopeless. All efforts from within or without to this end must be fruitless until the grand mistake of the sixteenth century be corrected. Such is coming to be the conviction of some reflecting men in Germany and Switzerland. It may be strengthened by the careful guarding and the increased efficiency of the British and American Sabbath; and by the reflex influence on the Old World of the emigration to the new, when that emigration shall have been instructed in the claims and benefits of the sacred day, and brought under the power of a living Gospel.

But we are receiving by the shipload the population of the Continent, to become, in a brief period, citizens with us, of this free Re-

public. Is there not ground of apprehension that the prejudices and customs thus imported may make a stronger impression on our Sabbath habits than we make on these masses who establish themselves here? The population with which the emigrant soonest fraternizes here, is not the best instructed or most orderly. Thus the force of irreligious example may sweep away the restraints of the Sabbath from tens of thousands of American households; and a frightful measure of degeneracy supervene, unless counteracting measures are employed. For our own sakes, then, as well as for the sake of the temporal and spiritual well-being of these "strangers in a strange land," and for the sake of the lands from which they come, we need to invigorate the Sabbath sentiment of the nation, and to guard at every point against the incursion of an immeasurable evil. A Continental holiday Sabbath would work our speedy destruction. With the characteristic enterprise and recklessness of our people, and with our almost negative government, what is a day of recreation and folly on the Continent, would speedily become a day of universal traffic or of wild dissipation here. Labor would soon have no rest, and worldliness no intermission: universal godlessness and irreligion would rush in to monopolize the time that we now give to repose and worship.

I have returned to my native land with deepened impressions of the value and necessity to all its highest interests of a divinely appointed, sacredly observed Sabbath, and of the indispensableness of judicious and persistent efforts, like those contemplated by your Committee, for its sanctification. It is time that the tendencies to its desecration were rebuked by the manly Christian sentiment of the nation. It is high time that invasions of principles and usages as old as our institutions, and vitally related to their purity and perpetuity, should be repelled; that the right of Christian citizens to the unmolested enjoyment of one day in seven for public and private worship were protected; and that such open profanations of the Lord's day, by young or old, native or foreign-born, as interfere with this right should be suppressed. That this work must be attended with difficulties, cannot be doubted. That it will encounter opposition, must be anticipated. But the cost has been counted. And if there be an interest which, more than another, may rely on the support and blessing of Divine Providence, is it not one that, by unostentatious effort, would promote the proper observance of His day who has styled Himself "the Lord of the Sabbath," and who has studded his word with the richest promises to those who 'Remember the Sabbath Day to keep it holy.'

R. S. C.

CIVIL AND RELIGIOUS VALUE OF THE SABBATH.

At a Meeting of more than One Hundred of the Clergy of New York City, the following Resolutions were unanimously adopted:—

Resolved:

I. That, should influences now at work, in effecting the progressive DESECRATION of the sacred day, meet with no adequate counteraction,—travel, traffic, and labor, news-vending, frivolity, intemperance, profligacy, and riot must continuously and rapidly encroach upon the authority and hallowed repose of the Christian Sabbath;—And that, by the influx of foreign immigration upon our own shores,—should this new element be left unevangelized—and by the reaction of European travel upon the character of our own people, the Sunday of Vienna, or of Paris,—a very carnival of dissipation,—may insensibly supplant amongst us the time-honored, orderly, and devout Sabbath known to our forefathers;—And that such DESECRATION has long increased, is now increasing, and should be withstood by all peaceful and Christian methods.

II. That the day of holy rest, to a land bearing the Christian name, and to a republic based on equal rights, has the highest CIVIL WORTH. Man needs it, *physically*, as a season when Labor may wipe off its grime, and breathe more freely after the week's exhaustion, and when Care shall slacken its hold upon the frame and the heart. Man needs it, *morally*, to rise by its aid out of engrossing secularities and materialism to the remembrance of his spiritual interests, his final account, and his eternal destiny. *Toil* needs it to rescue its share of rest, and its season of devotion from the absorbing despotism of Capital; and *Capital* needs it, to shield its own accumulations from the recklessness and anarchy of an imbruted and desperate proletariat, and to keep its own humanity and conscientiousness alive. The *State* needs it, as a safeguard of the public order, quiet, and virtue; human laws becoming, however wise in form, effete in practice, except as they are based upon conscience, and upon the sanctions of Eternity, as recognized voluntarily by an intelligent people; and God's day cultivating the one and reminding us of the other. And in a *Republic*, more especially, whose liberties, under God, inhere in its virtues, the recognition,—freely and devoutly,—by an instructed nation,—of God's paramount rights, is the moral underpinning requisite to sustain the superstructure of man's rights; and without such support from religion,—not as nationally established, but as personally and freely accepted,—all human freedom finally moulders and topples into irretrievable ruin.

III. That, as to its RELIGIOUS VALUE, this day of sacred rest has the strongest claims upon all Christians, however differing as to its true origin, and whether they trace it back to Eden, to Sinai, or to the Saviour's tomb, as finding there its real commencement. They need the observance of the day, as the season of their assemblies and ordinances, and as furnishing one great bond of their fraternal communion. In its relations to this world, the Church requires it to conserve and to extend its religious influence and as the channel of a yet wider evangelization. In its relations to the heavenly world, the Church needs it for its collective prayers, intercessions, and thanksgivings: and that thus it may embody the image, and enjoy the antepast of the endless rest to which it inspires in right of Christ's victory, on this day consummated, over Sin, Death, and Hell. And the God, who is the Giver of all time, never having surrendered to ordinary uses this His own reserved season, the infraction by man of God's claims here is ingratitude, attempting robbery, and perpetrating sacrilege, as against a Bounteous and Sovereign Creator.

The following gentlemen compose the Sabbath Committee:—

NORMAN WHITE, *Chairman.*

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NATHAN BISHOP.
WILLIAM A. BOOTH.
ROBERT CARTER.
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JOHN ELLIOTT.

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OFFICE, 21 BIBLE HOUSE, NEW YORK.

THE SUNDAY LIQUOR TRAFFIC:

1. EXTENT AND ACCESSORIES.
2. ILLEGALITY.
3. WASTEFULNESS.
4. ENGENDERS PAUPERISM.
5. CAUSES CRIME.
6. PROMOTES LAWLESSNESS.
7. TENDS TO IRRELIGION.
8. REMEDIES SUGGESTED.

DOCUMENT No. V.

OF

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THE SUNDAY LIQUOR TRAFFIC.

THE records of our Criminal Courts reveal the humiliating fact that our day of weekly rest is sadly perverted and abused. The period divinely allotted for the renovation of the vital powers after six days of toil, and for needful attention to sacred interests after the engrossment of the week in secular duties, is shamefully employed for purposes of dissipation and wickedness. The home day—"the poor man's day"—intended by its beneficent Author as the season for the cultivation of all kindly Christian virtues, and the strengthening of every manly principle, is made the occasion of temptation, strife, and misery to numberless families, and of drunkenness and crime to very many of the sons of toil. The blessings and restraints of the Lord's Day yield to the seductions of the dram-shop. In defiance of public sentiment, and of the public authorities—without right or reason or law—the *Sunday Liquor Traffic* is persisted in with heartless rapacity. It is the object of this paper to inquire into the nature and extent of this evil, and to urge the prompt application of some adequate remedy.

The Temperance question, as such, and the grave topics of morals, and of political economy, connected with the subject of excise, are foreign from the purposes of this document. It is in its relations to the desecration of the Christian Sabbath that we now have to do with the traffic in intoxicating liquors: believing that how disastrous soever that traffic may be to human interests, temporal and eternal, its evils are immeasurably increased when associated with the profanation of sacred time; and that whatever views may be entertained of the morality and expediency of the traffic itself, there can be no vindication of its claim to a practical monopoly of trade on the day when legitimate business is generally suspended, in obedience to a natural law and to the laws of God and man.

EXTENT AND ACCESSORIES OF THE TRAFFIC.

It appears, from the official returns of the Police Department, that the whole number of dram-shops, lager-beer saloons, and places for the sale of intoxicating liquors, in this city, is **seven thousand seven hundred and seventy-nine**; and they are rapidly increasing. Only *seventy-two*—or 1 in 100—are LICENSED! Estimating the whole number of families at one hundred and twenty thousand, this would give one dram-shop for each *fifteen and a half families*; while in some wards the ratio can not be less than one for each eight or ten families.

It is stated on the highest *official* authority, that at least *two thirds* of these drinking-places—or **five thousand one hundred and eighty-six**, of the nearly eight thousand—carry on their traffic on Sunday: and that they are almost invariably kept by aliens or naturalized citizens.

If we estimate the average number of proprietors and attendants, who are deprived of their day of rest to pander to the debased appetites of their customers, at two for each dram-shop and saloon, (some of the larger employ a score or more,) it will make at least ten thousand persons who are robbed of a precious right every recurring Sabbath. It is believed that the low average of twenty visitors to each of these Sunday dram-shops and saloons—some of which count their customers by thousands—would be quite safe: but this would give more than **one hundred thousand patrons** of a demoralizing business. And if we take \$5 as the average amount expended at each shop, (in many cases it is known to be hundreds,) it would give an aggregate of \$25,930 wasted every Sunday, chiefly by the poor and laboring classes, for the means of intoxication and ruin; or a total of \$1,348,360 for the *Sundays* of the year! The statement in one of our daily journals, (*The Evening Post*), on the authority of the proprietor of a lager-beer theater, that not less than *fifty thousand glasses of beer* had been sold at his establishment, (amounting, at 5 cents a glass, to \$2500) *on a single Sabbath*, (Dec. 26, 1858,) though probably an exaggeration, would serve to show that the above estimates are far within the truth.

But there are *accessories* to the Sunday Liquor Traffic, only less injurious and offensive than its direct evils. It seems to gather around it whatever is seductive and demoralizing. Without ocular demonstration, it would be difficult to credit the facts as to the variety and extent of the temptations to vice provided in the saloons, halls, and theaters, open and thronged every Sabbath of the year, in the very

heart of our city. "The Bowery" abounds with them, and they are springing up with fearful rapidity in all parts of the city where our immigrant population have planted themselves. All of the larger establishments have bands of music, which are a nuisance to the neighborhood; and most of them have theatrical performances, singing and dancing, both in the afternoon and evening of the Lord's Day. Hundreds of people, of both sexes, and of all ages, crowd around narrow tables, on which liquors are served *to all*: and remain for hours drinking, smoking, and perhaps gambling—while low comedies, or vulgar plays, are acted. More than one thousand persons were counted in each of four such places on a single Sunday night. In one of them, there were several billiard-tables; a shooting gallery; and an exhibition of pictures for pay: and besides these diversions, added to comedy and tragedy, there were four raffling-places where "every throw wins;" a roulette-table, and other modes of gambling, in full operation under the same roof, at the same time—and that the time claimed for Himself by the "Lord of the Sabbath!" A fearful proportion of the frequenters of such places are mere lads—of the age and character figuring so sadly on the records of our Police Courts.

Thus the Sunday sports of the worst cities of the continent of Europe are imported and foisted on our land, and with them the worst morals of the worst classes of the worst countries of the old world. The restraining, elevating influences of the home, the sanctuary, and the Sabbath—without which character must lack the healthful moral tone necessary to self-government—are all wanting; and the baser passions are left to uncontrolled sway. As a result—with the lack of the elements of self-government, and of the rigid exercise of governmental authority to which they have been accustomed—we have growing up in the midst of us a vast population, impatient of the restraints of law; berating and undermining the institutions that give them shelter; and ready for anarchy or rebellion, when their imaginary rights are questioned, or their "liberty"—to do wrong—is abridged.

THIS TRAFFIC ILLEGAL.

The spirit of our laws is accordant with that of the laws of Heaven, in this regard, that it discourages and prohibits *all* ordinary traffic and servile labor on the Sabbath. It looks toward the securing of a universal and inalienable *right* by a universal restriction. It restrains the rapacity of employers by rendering contracts for Sunday labor or Sunday traffic null and void, with the same humane intent with which it provides that ten hours shall be the legal limit of a day of toil. And so far from exempting the trade in liquors from the general pro-

hibition, our statutes are explicit in their hostility to that most need less and injurious of all the forms of Sunday profanation.

By § 21, chapter 628, of the Laws of 1857, the sale or gift of "any intoxicating liquors or wines on Sunday, by any inn, tavern, or hotel-keeper, or person licensed to sell liquors," is made "a misdemeanor," with the penalty of imprisonment not more than twenty days.

By the laws of 1857, chapter 569, § 21, it is enacted that, "It shall not be lawful for any person to publicly keep or dispose of any intoxicating liquors upon the first day of the week, called Sunday, or upon any day of public election, under a penalty of fifty dollars for each offense, to be sued for and recovered by the District Attorney, for the benefit of the Police Contingent Fund; and it shall be the duty of the Board of Police to strictly enforce the provisions of this section, by its proper orders."

By an ordinance of the Common Council, passed in 1855, the sale of intoxicating drinks "without being licensed according to law, or being so licensed, the traffic in the same, on the first day of the week, called Sunday," is declared to be a misdemeanor, punishable by fine or imprisonment for each offense.

It is not seen how there could be greater explicitness in intention or terms than is found in these laws and ordinances. And the Act defining the duties of the Metropolitan Board of Police, among other requirements, such as "to preserve the public peace; to prevent crime and arrest offenders; to guard the public health," etc., specifically charges that Board "to see that all laws, relating to the observance of Sunday . . . , are properly enforced; and to obey and enforce all ordinances of Common Councils, which are applicable to police or health."

ACTION OF POLICE COMMISSIONERS.

One of the earliest "General Orders" issued by the Superintendent of Police, contemplates the enforcement of these laws. It is as follows:

OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
413 Broome Street, Corner of Elm.

GENERAL ORDER, NO. 6.

New-York, July 5th, 1857.

For the preservation of the peace of the city, and in accordance with the provisions of the 21st Sec. of the Act entitled, "An Act to establish a Metropolitan Police District," etc., you are directed to instruct the several Patrolmen under your charge, to strictly enforce the law, by causing to be closed on the Sabbath all places where intoxicating liquors are sold, and in case of any violation of the law, to report the same, that its penalties may be enforced.

If any member of the Patrol force neglect the performance of this duty, you will report him forthwith.

F. A. TALLMADGE.

The then District Attorney, (Mr. Hall,) in his circular to patrolmen, accompanying the above order, says :

“The public sale, or keeping of liquor upon Sunday, is forbidden, *not because the article is liquor*, but because the law for thirty years has forbidden the sale of *any thing* on that day (except meats, fish, and milk, before nine o'clock A.M.) It is forbidden, not because the Police law, or the new license law, first forbid, for the Revised Statutes forbid it, and the Ordinance of the Mayor, Aldermen, and Commonalty, passed in 1855, forbid it. *All these prohibitions are concurrent.* Whilst it may be a new thing to close shops on Sunday, the law itself on the subject is no novelty. * * * The undersigned, being charged by law with a duty whose disobedience renders him liable to a prosecution himself for a misdemeanor, submits the following plan of instructions to patrolmen :

“Take the foregoing explanations of the law, and carefully, but politely, inform *every* vender, not only of liquors, but of all wares and merchandise on Sunday, of the provisions, and request an immediate closing up of the establishment, in such a way as to indicate to the public that no sale is expected. * * * If he refuses or neglects—or if, under pretense of closing, still ‘publicly keeps, and disposes of wares,’ then *each patrolman* will please to fill up the blanks below, and at close of Sunday, file with Inspector, who will send them to the undersigned for prosecution.”

The Board of Commissioners of Police, Feb. 23d, 1858, ordered the collation and publication of the laws and ordinances “respecting the observance of the Sabbath,” and directed the Superintendent to issue an order instructing the captains of police to enforce them, and to report on Monday of every week all violations thereof; the Superintendent being further directed to “report to the District Attorney the names of the persons violating them, so that they may be prosecuted in pursuance of law.” On the 23d day of December, the Police Commissioners are stated to have issued new and more stringent orders to the same effect.

The Annual Report of the General Superintendent of the Metropolitan Police, presented Aug. 1, 1858, shows that no less than *nineteen thousand nine hundred and two* (19,902) complaints for the violation of the Sunday Liquor Laws had been lodged in the District Attorney's office during the year, in pursuance of the foregoing order and instructions; and the number of complaints since made, swells the aggregate to *twenty-six thousand*. It appears that forty-five convictions were had for violations of the Sunday Liquor Law, a year or more since, and fines imposed: but that in every instance the executions were returned by the Sheriff unsatisfied—no property being found on which to levy!

Meanwhile two Grand Juries have presented in impressive terms the evils of this form of Sabbath desecration. In February, 1858,

“The Grand Jury present that a serious and growing evil, is the disregard, by certain classes of the public, of the laws designed to preserve the due observance of the Sabbath. * * In some of the most populous sections of the city, on the afternoons and evenings of the Sabbath, theatrical exhibitions, secular concerts, bowling and pistol galleries, juggling shows, dancing-houses, bands of music, tippling saloons, and all species of lawless entertainments are maintained, in open violation of law, and in disregard of public authorities. To these lawless places are attracted vast numbers of the unguarded youth and demoralized maturity of both sexes, and dissipation, quarrelling, and frequent violence are among the consequences. Independently of the annoyance and offense which these disturbances create to the law-observing and Christian portion of the community, the fact that the laws may thus be openly violated, and the constituted authorities fail to secure their due observance, can not but produce the most pernicious effect upon the ill-disposed, who participate in these lawless gatherings, as well as those who are encouraged in their evil course by the inefficient administration of the law. We would recommend that the laws for the suppression of these exhibitions be rigidly enforced, and that it be made the special duty of the Police to suppress them by the undeviating execution of the law. It can not be denied that these unlawful gatherings are among the fruitful causes of engendering in the corrupted youth of our city the fearful tendencies to crime which are daily manifested in our criminal courts.”

In their presentment, the Grand Jury of October say :

“The desecration of the Sabbath by persons frequenting the numerous drinking, dancing, and singing saloons, scattered broadcast over the city, is a subject of constant complaint, and calls for prompt and efficient action on the part of the authorities for its suppression. The Grand Jury is in possession of facts showing that about twenty thousand complaints for the violation of the Sunday Liquor Law have been reported by the police, not one of which has been prosecuted. It is the opinion of the Grand Jury that every law respecting the desecration of the Sabbath should be rigidly enforced, at least so far as is necessary to prevent an interference with the peace of those who prefer to devote the day to higher and loftier purposes.”

We proceed, without pausing to comment on the legal aspects of the subject thus presented, to consider some of *the economical and moral bearings* of the Sunday Liquor Traffic.

IT WASTES MONEY AND HEALTH.

The Sunday Liquor Traffic is *wasteful*. It robs the laboring man of his money, strength, and character. No one can frequent the Sunday dram-shop without becoming a poorer, feebler, worse man than before. It is the unanimous testimony of respectable physicians that periodical rest—one day in seven—is necessary to the healthy action of the mental and physical powers ; and that continuous labor, or unnatural excitement, exhausts the vital energies and shortens life. Home, with

its quiet joys ; the church, with its blessed instructions, furnish the Saturday-night and Sunday refreshment needed by man's nature ; and, to take the gathered earnings of the week to the dram-shop, is to ' spend money for that which is not bread, and labor for that which satisfieth not.' By a godless alchemy the sweat of the brow is converted into poison for the father of the family, instead of bread for his children. A fevered, enervated workman goes forth on Monday to his toils—if indeed he is not compelled to take that for a day of rest, in place of the wasted and worse than wasted Sabbath—instead of the strong, healthy, clear-headed man of sobriety. The season for repairing the machinery of life has been made a period of unnatural wear and tear, and it works badly. The time given for invigorating the moral powers has been employed in depraving them ; and the opportunity for learning and doing the will of God, and preparing for eternity, is devoted to the profanation of the Lord's Day, and to the companionship of evil men and seducers.

IT ENGENDERS PAUPERISM.

The Sunday Liquor Traffic must be held accountable for a large part of our increasing *pauperism*. A sober, Sabbath-keeping pauper would be an anomaly in a country where honest labor is amply employed and rewarded. Indolence and improvidence contribute their quota indeed to the army of the poor, but it is no more than a corporal's guard compared with the full ranks furnished from the recruiting stations found at almost every corner of the streets. Besides, intemperance is the foster-parent of idleness and thriftlessness. Our alms-houses are filled to overflowing with the class whose weekly earnings have found their way into the money-box of the Sunday dram-shop ; and our charities are demanded in this or other forms for wretched families, one or both of whose parents have poured down their own throats the fruits of their daily toils, and perhaps those of their children too. The custom of employers of paying off their hands on Saturday facilitates the designs of the liquor-dealers. With a full purse, the social drams of Saturday night awaken the appetite for deeper Sunday drinking ; and with the return of working-days comes a "blue Monday," with, perhaps, lost occupation, unpaid rent, a heart-broken wife, and starving children — a family ruined. What terms are strong enough to characterize a traffic that multiplies its snares along the borders of a semi-mendicant population, to entrap the laboring man and seize his hard earnings on his only leisure day—robbing him of all his manly attributes, sending him forth a loathsome

drunkard, and consigning him and his family, at last, to the eleemosynary institutions supported by the sober and virtuous? By what right do thousands of men, contributing little or nothing to the support of government, many of them owning no allegiance to that government, thus impose a burden of *a million of dollars a year* on the honest capital of the city? And on what pretext do they pile up misery and woe in ten thousand desolated homes?

A reference to the Annual Report of the Governors of the Alms-House for 1857, (p. 66,) shows that only about ten per cent of the inmates of the "Island Hospital" were "temperate"—more than sixty per cent being either "intemperate" or "habitual drunkards," and twenty-five per cent "moderate drinkers." Nearly seventy per cent (1982) of the whole number of sick paupers (2810) were between the ages of seventeen and thirty; and of these eighty-four per cent (1706) were drinkers of intoxicating liquors, mostly to excess.

The Fourteenth Annual Report of the "Association for Improving the Condition of the Poor," speaks of "drunkenness as the cause of an overwhelming amount of poverty and suffering in this city. It throws into the shade all other causes of wretchedness. Our nearly four hundred almoners, who have made more than thirty thousand visits to the poor the past year, with one voice attest, that it ingulfs in its fiery deluge all hopes for the educational, economical, and social elevation of large masses of the people. And such is its peculiar virulence that it neutralizes to a frightful and lamentable extent the benevolent labors it renders necessary. Facts and figures in support of these statements might be piled up almost without limit. But the public conscience seems already benumbed and paralyzed by their accumulation."

The Fifteenth Annual Report of the same excellent Institution, speaking of the tendencies of the movement for promoting Sabbath observance to benefit the poor, says: "All secularization of the Sabbath, by unnecessary toil, traffic, and by frivolity, intemperance, and pleasure-seeking, directly tends to deprive the working classes of their rest-day; and without strong countervailing forces to resist the insidious and constant encroachments on holy time in this city, the laboring classes will not only be deprived of their Sabbath, but also of those invaluable ameliorating influences which are inseparable from its proper observance. Every effort, therefore, to rescue the Sabbath from desecration should be welcomed and sustained by all who would at once promote the best interests of the poor and industrial classes, and of humanity generally."

I T C A U S E S C R I M E .

The Sunday Liquor Traffic is a *prolific cause of crime and disorder*. Both drunkenness and Sabbath-breaking, besides their own inherent immorality, are severally related as causes to a large part of the wrongs and evils which infest society. The former scarcely needs illustration or remark. The latter is more insidious in its influence, affecting the foundations of moral character; though rarely acknowledged as a cause of crime till remorse or penitence for wrongdoing leads to a review of the steps by which the prison or the gallows has been reached. Then it is common to trace the divergence from the path of rectitude to neglected or violated Sabbaths. The Chaplain for eighteen years of Clerkenwell Prison, testified before a Committee of the British House of Commons, that "nearly seven thousand prisoners had annually passed under his care—at the lowest calculation one hundred thousand in all—and that the leading causes of crime had been impatience of parental restraint, violation of the Sabbath, evil associations, especially with abandoned females, and drunkenness arising from attending public-houses, tea-gardens, etc." "I do not recollect," he says, "a single case of capital offense, where the party had not been a Sabbath-breaker. Indeed, I may say, in reference to prisoners of all classes, that in nineteen cases out of twenty, they are persons who have not only neglected the Sabbath, but all religious ordinances." Another, who had "attended not less than three hundred and fifty Newgate prisoners to execution," states, under oath, that "nine out of ten have dated their departure from God to the neglect of the Sabbath." Sir Matthew Hale bore substantially the same testimony, and but expressed the truth known to every observant magistrate, when he said: "Of all persons who were convicted of capital crimes while on the bench, I found a few only who would not confess that they began their career of wickedness by a neglect of the duties of the Sabbath, and vicious conduct on that day."

Now, combine these twin causes of crime and disorder, as in the Sunday Liquor Traffic—the one depraving the conscience, obliterating the sense of God and eternity, and undermining all moral and religious convictions; and the other, dethroning reason, and stimulating the passions—and we need go no farther to find an adequate cause for nine tenths, if not nineteen twentieths, of the grosser forms of crime which imperil and disgrace our crime-cursed city.

It is an instructive fact in our municipal history, that down to the period of the Repeal in 1834 of the Ordinances for the protection of the Sabbath, and those prohibiting the sale of spirituous liquors on

that day, *no necessity existed for a Sunday Police. The city governed itself on the Lord's Day, so long as Sunday dram-shops were closed*; but soon after the demoralizing influence of the Sunday liquor traffic was thus extended, crime and disorder began to increase; until, in 1839, it became necessary to pass an ordinance authorizing the appointment of Sunday officers. (See Ordinance, chapter xxxviii. Title II. for 1839.) The sluices of immorality had been thrown open—we hope unwittingly—and the current of iniquity has rolled on with increasing volume to the present day: when, with a full force of Police on duty, as on other days, the Sabbath has become the carnival of evil-doers; and the arrests for crime and disorder on Sunday almost uniformly exceed those of any other day of the week. Such a result was apprehended by the friends of good morals at the time; for in 1840 we find a committee of intelligent citizens, including Thomas De Witt, Anson G. Phelps, James C. Bliss, and R. M. Hartley, remonstrating with the then Mayor in terms like these:

“God forbid that our municipal authorities should deliberately intend to multiply the violations of the Sabbath, and *pari passu* increase the curses of drunkenness amongst us; yet such, to an alarming extent, has been the effect. In proof of this, it may suffice to state, that shortly after the repeal of the above law, it was ascertained that one thousand four hundred and nine liquor-shops were opened on the Sabbath; and in 1839, as again ascertained by actual enumeration, one thousand nine hundred and fifty-two were opened on that day for its desecration!”

After twenty years of the bitter experience of a most suicidal policy, the Mayor and Commonalty of 1855 passed an ordinance to arrest the desolating influence of this traffic: but meanwhile, evil habits, and the love of gain, and the foreign element of population, had so increased as to defy legal restraint; and popular degeneracy had reached such a point as to throw the reins of government into the hands, chiefly, of the very parties who had imbruted our electors, and overthrown our moral safeguards. The record, in another part of this document, of the fruitless attempts to carry into effect the most wholesome and necessary laws, affords a sad comment on the perils of legislation, tending to weaken the barriers erected against human rapacity and debasing appetite.

The statistics of crime read us a terrible lesson as to the existing state of things. It appears from the Annual Report of the Governors of the Alms-House and Prisons, that of the 27,845 commitments to prison in this city during the year 1857, 23,817 were of persons of “intemperate habits,” of whom nearly ten thousand (9726) were

females! That is, more than five sixths of the criminals for the year had their training in the dram-shop, and more than one third of the whole number were drunken women! Twenty-one thousand (21,278) of these criminals were "foreigners," and about ten thousand (9568) could not read. These facts are sufficient, in the absence of other data, to determine the question as to the habits of Sabbath observance of these victims of vice, for it is known that our emigrant population, for the most part, consider the Sabbath as a holiday, and do not scruple to make it the special season for tippling and revelry: so that no violence will be done to facts to attribute this enormous amount of crime—including, from a single District prison, 2216 cases of assault and battery, 31 with intent to kill, 1225 cases of disorderly conduct, and 46 cases of murder—chiefly to the combined influences of intemperance and Sabbath profanation, to say nothing of the more than eight thousand (8279) arrests for intoxication, and the innumerable instances of crime and drunkenness which elude the vigilance of the police. And it is a dreadful aggravation of the evil that its victims are *mostly in the prime of life*—more than sixty per cent of the commitments, including twenty-nine cases of murder, being of persons between ten and thirty years of age.

A comparison of the daily records of the arrests for drunkenness, disorderly conduct, and other misdemeanors, affords a farther demonstration of the connection between Sunday dissipation and crime. It appears from these official data that the number of arrests by the Metropolitan Police for *Tuesday* of each week, (reported on Wednesday,) from July 1, 1857, to December 8, 1858, both inclusive, making seventy-six days, was *seven thousand eight hundred and sixty-one*; while the number of arrests on *Sunday* (reported on Monday) for the same period, was *nine thousand seven hundred and thirteen*, as follows:

ARRESTS FOR CRIME FOR SEVENTY-SIX DAYS.

	Drunk.	Drunk and Disorderly.	Miscellaneous.	Total.
Sunday,	2,453	2,580	4,680	9,713
Tuesday,	1,928	1,865	4,068	7,861
Increase,	525	715	612	1,852

These figures show an increase of *eighteen hundred* arrests on the Sabbath, or nearly *twenty-five per cent* above the average of other days during a period of eighteen months. That is to say, the *extra* number of drunken, disorderly, and criminal offenders above that daily furnished by the influence of the dram-shop and other causes

for which the Sunday liquor traffic is directly responsible, exceeds an average of *twelve hundred per annum*. And every reader of police reports knows that a fearful proportion of homicides and murders stands connected with the drunken brawls of Saturday night and Sunday.

A further examination of these statistics shows that during the brief period at the accession to office of the present Mayor, when the Sunday liquor traffic was partially suspended, the arrests for drunkenness and disorderly conduct suddenly *diminished* one third from an average of sixty-six each Sunday to forty-four, or less than the average of ordinary week days; and a more marked diminution in crime attended a similar brief experiment of the preceding chief magistrate of the city. These facts are commended to the careful consideration of political economists, to our judicial and police authorities, and to the friends of public morals. They correspond substantially with the criminal statistics of other countries—the result of the “Forbes McKenzie Act” in Scotland, by which all traffic in intoxicating liquors is suspended between eleven o’clock Saturday night and eight o’clock on Monday morning, having been to abate one third of the crime previously committed. (See APPENDIX, p. 24.)

It is a notorious fact that Sunday dram-shops are the centres of resort for criminals and parties meditating crime. The police in pursuit of burglars, thieves, and murderers seek them most commonly in these accustomed haunts. It is not long since an establishment of this character in the Twelfth Ward was found to be the home of a gang of burglars, the implements and fruits of their crime being found on the premises.

Before dismissing this topic, the influence of the Sunday liquor traffic in depraving our youth should be more distinctly alluded to. It would seem that the evenings of the week would furnish sufficient temptations to dissipation, folly, and crime, with all the allurements of the theatre, the gambling-house, and the brothel; but it may be doubted whether the seeds of ruin are not more thickly sown on the Sabbath than during the entire week beside. Young men and lads are then wholly at leisure. Thousands, perhaps tens of thousands, of apprentices and clerks have no home in the city to attract or restrain them. The cheerful-looking, well-warmed and lighted “saloon” presents its seductions; vicious companions invite and lead the way; thus step by step the incautious youth is led in paths of present pleasure and future ruin. It is from this class that our “shoulder-hitters,” “Dead Rabbits,” and other clubs of disorderly and dangerous rowdies, recruit their ranks. The precocity in wickedness found

among the lads of the city, rendering our public streets places of peril for man or woman in some districts, is in no small measure due to the training received in Sunday dram-shops and lager-beer saloons.

IT PROMOTES LAWLESSNESS.

It seems hardly necessary to add that the Sunday liquor traffic *engenders the spirit of lawlessness* and contempt for rightful authority. It is carried forward in known and avowed defiance of law. The legal requisition for excise license is almost universally disregarded. The positive prohibition by State and Municipal law against Sunday sales is openly contemned. The illegal and immoral practices associated with the traffic are continued without concealment. The interposition of the police is unavailing. The remonstrances of Grand Juries are scorned. Public sentiment and the rights of quiet citizens are alike disregarded. Thus every Sunday dram-shop becomes a centre of disorganizing influences and a school of rebellion. How numerous and how apt are the scholars, let the appalling records of crime show and an almost paralyzed police testify. The example of unchecked lawlessness becomes contagious. The recklessness with which the most daring outrages are perpetrated, and the impunity for the vilest criminals, have become proverbial. Nor can there be hope of amendment, or of the restored majesty of law, so long as the present attitude of the Rum Power is maintained. If our system of government is not strong enough to suppress evils universally acknowledged, inseparably connected with pauperism and crime, breeding rebellion, and leading on to anarchy or despotism, let it be conceded at once; and let us abandon our free institutions in form as in fact to the control of a few hundreds or thousands of Sunday liquor dealers. But if half a million freemen still choose to be free, then must they accept the issue forced upon them, and at all hazards sustain our constituted authorities in the suppression of lawlessness, whether among foreign or native-born, young or old, in filthy cellars or gilded saloons, on secular or sacred days.

IT TENDS TO IRRELIGION.

The Sunday liquor traffic *tends to irreligion and infidelity*. It presents its temptations in bold rivalry with the sanctuary and the Sabbath-school and all the means of moral and religious culture. It counteracts every effort for evangelizing the masses. It hardens the conscience, depraves the heart, and destroys the soul. On the very day that God calls his own, it induces forgetfulness of the beneficent Creator and of his holy law, or leads to the utterance of the name of

Jehovah only in tones of blasphemy. There, where profane oaths are prayers, and drunken orgies supply the place of Christian worship, thousands of our youth are receiving their training for American citizenship and moulding their characters for eternity. And infidelity opens its "Liberal Halls" close by the centre of the saturnalian traffic. Now we have the most cordial respect for the wisdom of our organic laws, which secure to every man perfect liberty of conscience and the right even of self-immolation, if he will, on the altar of appetite, error, or irreligion; but it is license and not liberty that systematically and for paltry gains, in defiance of human and divine laws, pursues a traffic which *tempts others*, and especially the unsuspecting youth, to the destruction of body and soul on the very day of mercy and salvation. Society owes it to its own purity, nay, to its very existence, to dry up these fountains of misery and ruin, that its fountains of life may send their healing waters to thirsting souls.

REMEDIES SUGGESTED.

The following suggestions as to remedies for the protean evils under review, may serve, at least, to direct attention to the subject; we shall rejoice when other and more comprehensive plans are suggested and acted on.

The simple change in the *Pay-day*, from Saturday to Monday or Wednesday, if general among employers, would lessen greatly the temptations to Saturday night and Sunday debauchery, increase the chances for the expenditure of wages for the benefit of families, and promote the interests of every class of employés. "Blue Monday" would become obsolete; or, if it did not, the number of tardy, nervous workmen would be diminished. Some of the most extensive establishments, manufacturing and mercantile, have found their account in this change; and it is earnestly recommended to master mechanics, manufacturers, and all others employing labor, to contribute their influence in this way to a necessary reform.

The means of innocent, healthful, popular recreation on the evenings of the week, combined with intellectual improvement, accessible to the masses of the people, and disconnected with temptations to dissipation and vice, should be multiplied and encouraged.

The establishment of *public fountains*, to which thirsty men may resort, would be a measure of great practical utility, at comparatively trifling cost. They need not be of marble or bronze, elaborately wrought, as in most European cities: the simplest arrangement by which the health-giving Croton could be easily reached by the poorest

laboring man, would suffice. Formerly the street-pump partially supplied this want; but now the artisan or laborer who would slake his thirst, can find almost no public place in the city to which he can resort, with a feeling of *right* to a cup of cold water: and he is driven to a dram-shop, where a false notion of self-respect impels him to drink that which *costs him something*—and it often does cost him more than he had counted upon. As a preventive of drunkenness, and a means of removing temptation to evil haunts and habits, it is believed that this expedient would be found worthy of trial, to say nothing of its sanitary and humane aspects, which are far from inconsiderable.

The multiplication of churches, mission stations, Sabbath-schools, missionaries, and all *agencies for popular evangelization*, is a measure too obvious to need discussion. Without these, reforms are powerless, and laws inoperative. They should be prosecuted with quadrupled resources and greatly augmented aggressive power.

The *correction and concentration of public sentiment* as to the evils and the perils of the Sunday Liquor Traffic must be a work of time; but is indispensable to its thorough and permanent suppression. The masses need to be convinced that it is inimical to their best interests; that it increases the cost of rents and provisions; that it steals their money, time, health, and strength; that it depraves their morals; that it shuts them and their families away from religious instruction; and that it destroys their souls. And our emigrant population must be entreated to forego practices foreign to the genius and habits of the country that has welcomed them, and fatal to the institutions that shelter them. The pulpit and the press must bring their energies to the task of exposing this prolific cause of political and moral degeneracy, and of arousing the people to throw off the deadly incubus. There is, there must be enough of conscience and self-respect left, when rightly appealed to, to secure a manly attitude on the part of the friends of order and morals, on a question of this nature; and it needs nothing more to check the desolations wrought by an unauthorized invasion of sacred time with the most odious and destructive of all trades.

The Laws and Ordinances against the Sunday Liquor Traffic can and should be enforced. The existing statutes relating to this subject, the most stringent of which are of recent enactment, and commend themselves to every right conscience as wise, wholesome, and necessary to the peace and safety of society—but deliberately and persistently violated—must be put in execution, kindly but firmly, by the proper authorities, or all law and government lose their dignity and power. In the case before us, every offender has been repeatedly and

“politely” warned by the police to desist from his illegal course. Complaints have been made by thousands of individual violators of the law. The Board of Police Commissioners are specially charged by the Act that gives them being and authority, to suppress this wrong, and they have made the attempt with unquestioned sincerity. It would seem that, in such circumstances, the only sympathy to be counted on in further resistance of law and authority must come from outlaws and rebels. Courts and juries and officers of justice, expounders and executors of law, owe it to their own dignity, and to the community investing them with power, to wipe out the disgrace brought upon our institutions by these fountains of dissipation, lawlessness, and crime. And the citizens of New-York owe to the magistracy of the city, no less than to themselves, and to every good interest, to support with manly firmness every attempt to restore the majesty of law, and the ascendancy of Christian morals. Only then can we hope for the immunities and blessings entailed for all time in connection with the precept of unceasing obligation: “If thou turn away thy foot from [trampling on] the Sabbath, from doing thy pleasure on my holy day: and call the Sabbath a delight, the holy of the Lord, honorable; and shalt honor him, not doing thine own ways, nor finding thine own pleasure, nor speaking thine own words: *Then* shalt thou delight thyself in the Lord; and I will cause thee to ride upon the high places of the earth: . . . for the mouth of the Lord hath spoken it.” (Is. 58 : 13-14.)

NORMAN WHITE, *Chairman.*

HENRY J. BAKER,
E. L. BEADLE, M.D.,
WILLIAM A. BOOTH,
ROBERT CARTER,
WARREN CARTER,
THOMAS C. DOREMUS,
E. L. FANCHER,
FRED. G. FOSTER,
DAVID HOADLEY,

HORACE HOLDEN,
WM. A. SMITH,
WILLIAM TRUSLOW,
W. F. VAN WAGENEN.
WILLIAM WALKER,
E. C. WILCOX,
F. S. WINSTON,
O. E. WOOD.

JAMES W. BEEKMAM, *Rec. Secretary.*

RUSSELL S. COOK, *Cor. Secretary.*

J. M. MORRISON, (Cashier of Manhattan Bank.) *Treasurer.*

☞ SABBATH COMMITTEE'S OFFICE, 21 BIBLE HOUSE, NEW-YORK.

APPENDIX.

STATEMENT OF TWENTY CITY MISSIONARIES.

THE undersigned, City Missionaries and Ward Secretaries of the "Association for Improving the Condition of the Poor," being daily witnesses of the demoralizing influence of the Sunday Liquor Traffic, hereby express our deliberate conviction that the intemperance and Sabbath profanation associated with that traffic, are the principal external causes of a vast amount of the domestic misery, poverty, irreligion, vice, and crime, which so abound in our city; and that they create the necessity for a large proportion of the public taxes and private charities for the checking of immorality, and for the support of the poor, while they counteract both public and private efforts for the moral and religious instruction and improvement of the masses.

We should regard the suppression of the Sunday Liquor Traffic as a blessing to the young, as a great boon to the families of the poor and laboring classes, as an indispensable means of restoring order and good morals to the city, and as one of the most hopeful auxiliaries to our own and kindred labors for the temporal and spiritual benefit of the people.

New-York, December, 1858.

GEORGE HATT,
A. CAMP,
L. E. JACKSON,
JAMES W. BISHOP,
CHS. C. DARLING,
E. MACK,
CALVIN LATHROP,

EDWARD PRATT,
J. B. HORTON,
J. H. BULEN,
JAMES W. MUNROE,
RICHD. L. HORTON,
RICHD. HAYTER,
HENRY WHITTLESEY,

WILLIAM KIRBY,
J. L. AMBLER,
ISAAC ORCHARD,
JOHN RUSTON,
P. A. SPENCER,
A. R. WETMORE, *Sec.*

STATEMENT OF R. M. HARTLEY, ESQ.

The undersigned, Secretary of the "Association for Improving the Condition of the Poor," in expressing his full concurrence in the foregoing statement, would add, that his labors for twenty-five years in New-York in this and kindred departments of philanthropic effort, have constrained the belief that, so long as the Sunday Liquor Traffic continues, pauperism and crime will abound and increase with the infallible certainty of cause and effect. The Annual Reports of the Institution have repeatedly demonstrated this connection; the city missionaries, moreover, and all engaged in domiciliary visits to the poor uniformly attest, that Sunday tipping tends directly to the demoralization and ruin of large numbers of the laboring classes. At least one half of the charities bestowed on this and kindred associations, and a similar proportion of the taxes for the relief of pauperism, are occasioned by intemperance; and in his judgment, would be unnecessary, if the ravages of this monster vice were arrested.

R. M. HARTLEY.

SUNDAY THEATRES, "SACRED CONCERTS," AND
GAMBLING-SALOONS.

The following extracts from an article in the columns of the *Daily Times*, entitled "Sunday Walks in the German Quarter," reveal the extent of the evil to which this Document directs public attention, among one class of our population:

"The Odeon presented a strange scene to an American eye on that Sunday afternoon. More than two hundred men, women, and children (a large sprinkling of the latter) were ranged along three lines of tables—all drinking lager or something worse, and listening at the same time to a 'merry play in two acts, from Kotzebue,' with orchestra, billiards, shooting-galleries, etc.—and all for ten cents. In the evening, another theatrical performance for a crowded house. Dancing, gymnastic exhibitions, speech-making, hurrahs, and a flood of lager-beer—such was the Sabbath in that place."

THE PEOPLE'S GARDEN.

"Now let us look in at the *People's Garden*, (Volks Garten,) a door or two below in the Bowery. A shilling admits you to the place, but you can take your wife and children with you 'free.' The bill assures you that you are attending a 'sacred concert'—'*Eine grosses sacred Concert.*' But you become a little skeptical about its 'sacred' character when you read the programme and observe the surroundings. The place is suspicious—'*Vaudeville Theatre.*' The announcements are suspicious—'Exhibition of a Grand Pot-pourri.' 'The Artist Family; or, the

Uncle as an Enemy of the Theatre—a Comic Operette in four acts.' This is for three o'clock Sunday afternoon. The evening performance seems about as 'sacred.' 'The Beautiful Milleress; or, a Secret Passion—a merry play in one act.' Concluding with 'Good Morning, Mr. Fischer—vaudeville in two acts.' 'Between these acts, the Grand Ballet, and Grand Janisary Concert, with a grand orchestra.' It all looks very *grand*, but not very *sacred*. Then the visitors at the City Theatre adjoining are informed by the programme, that when that is closed, (say at eleven o'clock,) they can enter the People's Theatre free—to test the quality of the People's lager.

"The surroundings are even more suspicious than the amusements. A half-dozen billiard-tables, more or less, five raffling-stands, a roulette-table, a shooting-gallery, and some other forms of gambling—all in full blast—would not seem to promise a very 'sacred' affair, to say nothing of five or six bars, fully manned and employed.

"The company does not give very marked indications that 'sacred' pleasures attracted them by hundreds to the place. We counted five hundred and fifty in the afternoon, including children, seated in front of lager-bier mugs, and listening alternately to the band of music and the play, and none of them seemed to be imbibing any thing more 'sacred' than bad 'lager.' In the evening there must have been fully eleven hundred in the same place, engaged in the same way. If the proprietor would drop one letter from his programme, and *Frenchify* his announcement a little—thus, '*Sacré Concert*'—it would be more frank, and vastly more truthful."

THE PEOPLE'S THEATRE.

"But there is a *People's Theatre* as well as a People's Garden. It is in Fourth street. Let us look in there. What a spectacle in a Christian city! As you enter, on the ground-floor, there are four billiard-tables, surrounded by perhaps a hundred boys from ten to twenty years of age, occupied with and intent upon the game. At one table, four lads, not more than thirteen years old, are playing—albeit it is somewhat difficult for them to reach the balls. But they will grow taller—perhaps so high, by and by, that their feet will dangle in the air. Across the room, and in front of the bar, stands a novel gambling-instrument. It is a small brass cannon, from which balls are projected, probably by a spring, and entering a curtained aperture a few feet distant, descend by an inclined plane, on which stand small wooden pins. Ten tickets are given out, say at three cents each. The holder representing the ball that upsets the largest number of pins, wins twenty cents—the balance of the stakes, one third of the whole, going into the pocket of the proprietor. This machine was surrounded by as many lads as could see it, and betting was as constant as the machine could be made to work. The spirit of the gambling-hells at Homberg and Baden-Baden was in full play in these young scape-graces, and the foundations laying of desperadoes—and this on the Sabbath!

"But we have not yet entered the Theatre proper. This is but the ante-chamber—free to all, notwithstanding the discontent of the proprietor on seeing some 'Americans' among his guests. In the rear is a hall, accommodating, in its way, one thousand people or more, with music, lager-bier, and theatrical performances. From six to eight o'clock, notwithstanding the afternoon performance, the people were streaming in, ordering their bier and segar, and getting ready for the play. Nearly one half of the company consisted of women and children. We saw hun-

dreds of boys and girls of from twelve to twenty years, chiefly of German parentage, and a few who could be recognized as Irish and Americans. In all, there were nine hundred and fifty, by actual count, entering this single place between the hours of six and eight o'clock. The expense to each guest can not average less than twenty-five cents, and is probably twice that amount; so that two hundred dollars, at the lowest estimate, would pass from the scanty pockets of the apprentices and journeymen and seamstresses, who seemed principally to make up the group, into the full purse of the proprietor of this den of iniquity. And when the pinching cold comes, you and I, good friend, will have our sympathies appealed to, to relieve the poverty caused by this Sunday dissipation; or be taxed for the Almshouse expenditures, or the cost of criminal cases growing out of this Sunday-night debauchery."

HARMONIA GARDEN.

"Now turn down into Essex street, and enter the *Harmonia Garden*. Your ticket, which costs but sixpence, will be exchanged for you at the door by a long-shanked sheriff's officer, and you will find a spacious hall, say a hundred feet square, with galleries all around, and tables for the accommodation of twelve hundred or fifteen hundred people. A band of music, of fourteen brass pieces, rings out waltzes and airs, which may be heard for squares around. Bowling-alleys, shooting-galleries, and the usual means of diversion or of gambling, are at hand. Above-stairs you will find no less than seven billiard-tables, occupied mostly by young men, playing with their own or their employers' money. It was at an early hour in the evening that we visited this establishment, and there were not more than about two hundred and fifty persons present. Later, it was doubtless filled. Till twelve or one o'clock, perhaps, the neighboring householders must listen to the music of that band and to the noise of those revellers. Is it neighborly, is it right, to deprive families of their day of rest in this way?"

THE CITY THEATRE.

"Now let us return to the Bowery, and drop into the aristocratic place of Sunday amusement—the *City Theatre*. Gambling arrangements are dispensed with; lager-bier tables have no place. The interior is elegantly fitted up, with accommodations in parquet, dress-circle, and second and third tiers for twelve hundred or fifteen hundred visitors. At half-past eight o'clock, nearly every seat and standing-place was occupied, and a play was in progress having the usual elements of interest, acted with admirable talent. The dress-circle was filled with men and women, handsomely dressed and of genteel manners, including a large sprinkling of Jews. Between the acts, lager and liquor were dispensed from the bar and carried around the Theatre, but the amount drank was inconsiderable compared with other establishments. Many of the guests had undoubtedly attended one or other of the German churches in the morning, after the manner of the Continent, and, without a thought of wrong, finished their Sunday at the Theatre; pitying, perhaps, the poor 'Sabbatarians,' who cherish the British and American notion, that the Sabbath *day*, and the whole of it, was intended by its Author for rest and worship, and not for fun and frolic.

"One more turn, and our Sunday walk will be ended for this time. Pass with us under a small triangular block not far from the City Hall, and you will cease to wonder at the frequency of homicides and other crimes growing out of Sunday dissipation. If our count was accurate, there were *twenty-nine* lager-bier saloons and

dram-shops—some of them accommodating two hundred or three hundred persons—open and mostly filled on that single evening. In three or four of them, bands of music attracted customers. Many of the buildings on the blocks facing the one in question, were similarly occupied, so that within a distance of three hundred feet square, there may be found not less than *fifty* Sabbath-breaking, law-despising centres of intoxication and crime."

REPORTER'S COMMENTS.

"We returned from our Sunday walk with a heavy heart. Discarding all ultra views of temperance, and disavowing sympathy with extreme 'Puritan' notions of the Sabbath, we cling to the old-fashioned idea that there is a better way of spending Sunday than in tipping, theatre-going, and gambling. Good *citizens* are made of sterner stuff than the frequenters of such places. Good men do not grow out of the boys who spend their Sundays at Volks Gartens and Volks Theatres. The crimes against society at which the fifth, and sixth, and seventh, and eighth, and ninth, and tenth commandments are aimed, have an intimate connection with the violation of the fourth; so that the wholesale manner of desecrating the Sabbath, accompanied with wholesale drinking, rises into a leading cause—the leading cause of the rampant crime and disorder which infest our city, and which have increased *pari passu* with the multiplication of such establishments as we have been visiting.

"Another consideration gave us troubled rest. Every one of these establishments pursues its business in known violation of law. Not merely the accompaniments of the business—the gambling, which is a misdemeanor; the bands of music, which are a nuisance; the theatrical performances, which are positively prohibited on the Sabbath—but publicly keeping and disposing of any kind of intoxicating liquors is expressly forbidden by the laws of the State and the ordinances of the city, of recent enactment, and in full force at the present time. Every proprietor and visitor of these establishments knows that the Police Commissioners, in pursuance of law, have directed patrolmen to report offenses against the Sunday Liquor Law, and that thousands of complaints have been made. Their attitude, then, is that of rebellion against our constituted authorities, and defiance of our laws. And it involves the question, Whether a few hundred keepers of dram-shops and gambling-places are stronger than our government? That is an important question: there should be no delay in settling it.

"Then another thought has been haunting the mind ever since that sad visit; it is connected with the future of those thousands of young lads seen in a single Sunday night in places of sinful diversion. Whose sons are they? Have they mothers to weep over them? Have they homes to go to? Are they instructed any where but here? Whither are they drifting? How many of them are receiving their training for the prison and the halter? What security has society from rowdyism and disorder, if our youth are corrupted systematically, and educated in vice? Is it right to punish juvenile criminals, and exempt their teachers in crime? Is it wise to leave the nests of vipers undisturbed, and run after the fledglings that come from them, brood after brood? If the present unrestricted debauchery and ruin of the Sunday liquor traffic is to be perpetuated, would it not be just that the proportion of the nearly two millions of dollars expended for the support of Police, almshouses, and criminal courts, traceable to that traffic, should be levied on the proprietors of Sunday dram-shops? The demoralization and misery it carries into ten thousand homes can not be reckoned, and so can not be assessed—in *this world*."

JUVENILE CRIME.

The Police Reports in our daily journals indicate a measure of juvenile depravity quite incredible but for the known sources of demoralization. The record of a single sentence-day of a single court—a sample of other days—contains the following :

"COURT OF GENERAL SESSIONS.

"Edward Hempson, charged with burglary in the third degree. *On account of his youth*, the prisoner was sentenced to the Penitentiary for one year only.

"Charles McDermott, aged eighteen years, indicted for the murder of Carsin Coster, pleaded guilty to manslaughter in the second degree. Sentence deferred.

"James Kenney and Peter Murray, *mere youths*, were convicted of burglary in the third degree. Sentenced to three years and six months each in the State Prison.

"John Duggan, aged nineteen, jointly indicted with *the boy Hart*, plead guilty to an attempt at burglary in the third degree. *As he was an old offender*, he was sentenced to two years in the State Prison.

"Thomas Briggs, aged twenty-two, was convicted of burglary in the third degree. He was sentenced to four years and three months in the State Prison.

"William Brown, *a boy*, pleaded guilty to petit larceny, and was sent to the Penitentiary for four months.

"Jane Martin, *a young servant-girl*, pleaded guilty to petit larceny. Sent to the House of Refuge.

"GERMAN BEGGARS IN AMERICA."

The December number of the *Deutsche Kirchenfreund* contains a suggestive article by the Editor, the Rev. J. W. Mann, D.D., with the above title. The journal and its editor may be regarded as the highest authority on matters relating to the German population in this country. The article before us, though bearing on questions incidental to the main object of this document, nevertheless furnishes unprejudiced testimony on a topic of vital importance—the character and influence of beer-houses and their keepers. We give brief extracts from a translation kindly furnished by the Rev. Dr. Guldin :

"The great majority of these pot-house keepers," says the editor, "choose this occupation only because they can make an easy and jovial living with the least labor, under the appearance of an orderly and allowable profession. If any thing is a disgrace of our German name, our numberless German beer-houses are such. The evil was never greater than now, and hardly can become greater. If all these tap-houses can subsist, it shows what a tavern-visiting, pleasure-seeking nation the Germans have got to be. Their keepers deport themselves as arrogantly as if they were privileged to scorn publicly all order, morals, or reverence for that which is

holy. In their advertisements in our German newspapers, they abuse the most sacred language of the Holy Scriptures, and turn it into mockery.

"We are not surprised when men who have been brought up as tavern-keepers in Germany continue in their profession here, and many of them do it in a respectable manner. But the great majority of these low beer-houses are kept by persons who have been trained altogether for other professions. We know men in this country who have formerly been German ministers, school-teachers, military officers, lawyers, physicians, merchants, etc., who have chosen to keep pot-houses, because it requires but little knowledge or capital to retail wine and beer—to become retailers instead of customers as before—and because it is the easiest method thus to offer enjoyment to others, instead of earning their daily bread in a regular laborious calling. We see weekly many mechanics, whose trade begins to become inconvenient—such as tailors, shoemakers, etc.—establish pot-houses; calculating on the custom of their nearest countrymen from the different German States, and it seems that they hardly ever miscalculate.

"Among the most respectable Germans, who value the German name, and who are not unconcerned whether a wholesome moral influence or a vicious one be exerted, but one voice prevails in regard to this sad characteristic of their countrymen of our time. And how could we look on without sorrow and shame? The injury done to morals is incalculable, as the doings of our public courts bear weekly testimony. But we know what kind of influence they exert more silently. They every where draw fathers away from their families; they consume vast sums of money earned by hard labor which should be employed for useful purposes; they offer temptation to gambling, and excite many low passions by their continuously frivolous character; and they become the source of destruction to the temporal and spiritual well-being of hundreds of families. The whole business, worse than public begging, rests as a curse upon the Germans; their good name suffers under it; and a people who set the tavern-sign highest in their national escutcheon, forfeit all claim to respect. Here we find the reason why so many German families cease to prosper; why no earnings are sufficient; why in days of prosperity nothing is saved up for other times. Where no beggars were found before, through these pot-houses beggars must arise. The benevolent societies of our cities experience enough of the demoralizing effects of these places of lowest sensual gratification. But do their keepers care for this? And the German press is silent in regard to this state of misery—its tone in most instances not being of a serious moral character, and pecuniary considerations having a great deal to do with the question. The laws of the land, even, give this enormous evil the form of legality."

VIEWS OF STATESMEN AND JURISTS.

"I always felt myself under obligation to observe that law which was given by God himself from Mount Sinai, in these solemn words, 'Remember the Sabbath-day, to keep it holy;' a command which was subsequently received and reënfirmed by the injunctions of the Saviour of mankind. So far as propagating opinions in favor of the *sacred* observance of the day, I feel it my duty to give all the faculties of my soul to that subject."—*John Quincy Adams.*

"Where there is no Christian Sabbath, there is no Christian morality, and without this, free governments can not be long sustained. As a civil institution merely,

the Sabbath is wise and politic. . . . I should never doubt the honesty of a man who, from principle, kept the Sabbath day holy."—*Judge McLean, U. S. Supreme Court.*

THE POLICE COMMISSIONERS ON SUNDAY CRIME.

After the first edition of this Document had been published, the Report of the Metropolitan Police Commissioners to the Legislature of the State, was issued. The following paragraph from that Report more than confirms the preceding statements (page 12) as to the proportionate arrests for crime, etc., on the Sundays when the Liquor Traffic was partially suppressed, compared with other periods:

"The laws of the State, in respect to the observance of the Sabbath, are openly violated. Liquor shops and groceries are, in many instances opened, and their contents vended as on other days of the week. The Commissioners caused the infractions of the law to be noted by the police, and reported to the district attorneys of the counties of New-York and Kings. There have been so reported over twenty-six thousand cases, but none have been prosecuted to conviction, and unless the Legislature shall compel the observance of the day by severer penalties, and by summary proceedings, the onerous duty of reporting its desecration will be useless. Aside from the religious duty of keeping the day holy by abstinence from secular pursuits, there can be no doubt that the closing of liquor shops will lessen the amount of crime and of breaches of the peace. This is conclusively shown by the small number of arrests on the Sundays while the law was observed, compared with the arrests made when the liquor dealers learned they could violate the law with impunity. Public notice was given on the 5th July, 1857, that all infractions of the law would be noted by the police, and be prosecuted. The arrests are:

	Intox. and disorderly conduct.	Miscellaneous crimes.	Total.
Sunday, 11 July,.....	40	30	70
" 18 "	40	41	81
" 25 "	52	51	103

"In December following, when the practice of selling liquor on Sunday was more general, the arrests were:

	Intox. and disorderly conduct.	Miscellaneous crimes.	Total.
Sunday, 8 Dec.,.....	89	84	173
" 15 "	92	27	119
" 22 "	99	56	154

"And now, when it is manifest that the law will not be enforced, and none are deterred from the apprehension of being punished, the arrests on

	Intox. and disorderly conduct.	Miscellaneous crimes.	Total.
Sunday, 7 Nov.,.....	91	65	156
" 14 "	104	44	148
" 21 "	120	79	199"

A Year for the Sabbath.

THE
FIRST ANNUAL
REPORT

OF THE
NEW-YORK SABBATH COMMITTEE.

New-York:

JOHN A. GRAY, PRINTER AND STEREOTYPED, 16 & 18 JACOB ST.
FIRE-PROOF BUILDINGS.

1859.

FIRST ANNUAL REPORT.

THE Committee was organized at a meeting of citizens in April, 1857. Preliminary investigations were entered upon during the summer, and occasional meetings held; but active operations were deferred until November of that year. The opportunity was then providentially presented of completing the organization of the Committee by the election of a Secretary, whose successful experience for twenty years in kindred labors, and whose interest in behalf of Sabbath observance, as shown by the fact that he was about to enter upon self-sustained efforts in continental Europe for this very object, indicated his adaptation to the wants of this enterprise.

But it was at the very height of the late commercial revolution, and when the future of our personal, corporate, and benevolent interests was covered with a cloud impenetrable to human vision, that the Committee were called upon to lay the foundations of an enterprise involving the expenditure of time and money, and requiring no inconsiderable measure of wisdom, faith, and patience. Yet, would not the very disasters which seemed to discourage a new and formidable undertaking, tend to moderate the worldliness, rebuke the selfishness, and check the impiety which had ruthlessly trampled on the Christian Sabbath, and secure a hearing for appeals to reason and conscience too commonly denied in seasons of high prosperity? The Committee thus judged; and they have abundant occasion for gratitude to God for the ample reward accorded to whatever of faith, zeal, and prayer they were enabled to exercise, in the unbroken harmony of their counsels, in the success of their efforts, and in the brightening prospects of their enterprise.

Nearly a quarter of a century has elapsed since any concerted efforts have been made for the better observance of the Lord's day in this city; and those then attempted may be considered perhaps more as beacons than as guides for our own day. Had there been less of censoriousness and impatience, and more of that charity which "suffereth long and is kind,"

it is believed that the two reasons then assigned for foregoing effort—the indifference of “ministers and church-members,” and the impossibility of procuring executive aid—might have been obviated. The wise and far-reaching labors of the late Dr. Justin Edwards, at a subsequent period, were eminently useful *in the country at large*; but his influence was little felt in this city. Occasional efforts have been made for the suppression of Sunday news-crying and other evils; but they have been mostly spasmodic and ill-digested, so that their failure has only emboldened the profane and godless.

Meanwhile the population had trebled, with a vast accession of classes from abroad unfriendly to the Sabbath. The Sunday press had established itself, and its venders monopolized our streets with their deafening cries. New thoroughfares radiated in all directions from the city, multiplying the temptations to Sunday traffic and travel. Dram-shops, saloons, and theatres, in spite of law and its executors, perverted the day of rest into a season of unwonted dissipation, folly, and crime. The Sunday ordinances, concurrent with the laws of the State, which had existed from the foundation of our Government, had been clandestinely repealed, and the sentiment had become rife that all statutes for the protection of the rights of American citizens to a weekly season for rest and devotion were obsolete. In endless forms the sanctity of the Lord’s day was assailed, its moral and legal sanctions weakened, and its benign influences counteracted.

Such were the circumstances under which the Committee assumed the delicate trust reposed in them by their fellow-citizens. A brief notice of the successive measures adopted during the year will show how that trust has been discharged.

DESECRATION INVESTIGATED AND EXPOSED.

A careful investigation of *the extent of Sabbath desecration* in the metropolis seemed necessary at the outset, both as a guide and stimulus to effort, and as a means of awakening public attention. With this view, the Committee prepared and issued the first document—“THE SABBATH IN NEW-YORK,” embracing a brief *history of Sabbath observance, its existing desecration, and the causes of declension*. The statement that 9692 places of business, including more than 3000 liquor-shops, were open on the Sabbath, and kindred facts, excited just alarm. An abridgment was also published, in an eight-page octavo form, for popular circulation, entitled “*The Sabbath as it was and as it is.*” Four editions have been printed—in all, eighteen thousand five hundred copies.

At the request of a Welsh pastor, “The Sabbath as it was

and as it is" was translated into that language, and three thousand copies were published in the "Cambro-American," at the expense of the Committee, the translator engaging to circulate several hundred copies among his countrymen in this city.

CO-OPERATION OF THE CLERGY.

The startling facts brought to light in the first document were communicated to a large body of the clergy at one of their stated gatherings; and on farther consultation with some of the respected pastors of the city, it was thought expedient to invite the ministers of the Gospel of all evangelical denominations to assemble and take into consideration a subject of vital moment to the cause of morality and religion. With gratifying alacrity more than one hundred of our clergy responded to this invitation, meeting in the rooms of Spingler Institute, generously tendered for the purpose by the Rev. Gorham D. Abbott. The venerable Dr. Spring presided. Addresses were delivered by members of the Committee, and the Rev. Drs. De Witt, Krebs, Alexander, Smith, Bedell, and others took part in the discussion. A series of Resolutions, reported by a committee of six of our most eminent pastors, of as many denominations, was unanimously adopted. These Resolutions were characterized by the late lamented Mr. Butler, at the meeting in the Historical Rooms, as the finest tribute to the Sabbath to be found in the English language. Not far from a million copies were published in newspaper and other forms; and copies have been received from the interior of the State printed on letter sheets.

Acting on the suggestion of one of the speakers at the Spingler Institute meeting, the Committee issued a circular respectfully inviting the clergy of the city to preach simultaneously on the claims of the Christian Sabbath, in the month of February last. The promptness and cordiality with which the suggestion was received, and the extent of the coöperation thus rendered, were most cheering. With very limited inquiry, it was ascertained that the following, besides many others of our most valued pastors of various denominations, had preached earnest and impressive discourses—in many instances series of discourses—namely, the Rev. Drs. Adams, Alexander, Bedell, De Witt, Guldin, Hutton, Macauley, McLeod, Morgan, Parker, Peck, Potts, Prentiss, Smith, Spring, Taylor, Tyng, Van Zandt, Wiley, and Williams. Several thousand copies of the "Sabbath as it was and as it is" were distributed in the pews of churches whose pastors entered on this discussion. Not less than *one hundred sermons* were thus delivered on topics relating to Sabbath sanctification, the in-

fluence of which it has not been difficult to trace in the rapidly improving sentiment and the advancing reforms of the year: whatever may have been the relations of this manifestation of Christian unity and quickened regard for a divine institution to the work of grace having its beginnings and scattering its blessings here, but extending over the land, and still moving onward throughout Christendom. If even the organs of infidelity trace such a connection in their mingled taunts of the Sabbath and the Revival, there may be no impropriety in this allusion on the part of those who find an inspired warrant for the relation between a holy zeal for the Lord's Day and the richest spiritual and temporal blessings.

MEETING OF CITIZENS.

The next measure was to arrest the attention and gain the coöperation of influential citizens. For this purpose several hundred gentlemen were invited to meet the Committee at the rooms of the Historical Society, on the evening of March 17. Wm. B. Crosby, Esq., presided; and W. E. Dodge, E. L. Fancher, and Hiram Ketchum, Esqs., the late Hon. B. F. Butler, Judge Slosson, General Superintendent Tallmadge, and others, shared in the discussions of the occasion. An important impulse was given to the object by this gathering. A series of *public* meetings was projected; but it was thought expedient to forego them, lest they might divert attention even in the slightest degree from the then absorbing interest in the immediate concerns of the soul, and inasmuch as every convert to Christ and every Christian revived added a new friend to the Lord's Day.

RAILROADS AND THE SABBATH.

Somewhat in advance of the season for arranging the timetables of our Railroads for the spring and summer, the Committee entered on an investigation of the extent and bearings of Sunday traffic and travel. The results were embodied in a document entitled RAILROADS AND THE SABBATH, exhibiting the statistics of Sunday traffic on railroads and canals; the moral influence of railroads; the economical motives for Sabbath observance; and the religious and civil relations of the Sabbath. Copies of this document were sent to the press throughout the country, by which it was extensively noticed and approved. It was also addressed to the Presidents of all the railroads in the United States and the connecting lines in Canada—and to those Directors whose addresses were known—accompanied by a circular, in which the Committee tendered

a sufficient number of copies to supply every director, stockholder, and employé, without cost. A considerable number of orders were sent, and several thousands of copies were thus circulated. The distribution will be resumed the coming season, and arrangements made for reaching directors and stockholders through other channels, where the official representatives of great corporations find it inconvenient to cooperate in the undertaking. It is also the purpose of the Committee to effect a liberal distribution of this document among the population along the lines of those Companies whose managers continue systematically to desecrate the day of rest.

The results of this effort were not expected to be immediately apparent. It will only be when the *owners* of railroads make their voice heard in the management of these thoroughfares that a question of this sort will have a proper adjustment. An instance has come to the knowledge of the Committee, in which the stockholders have "adopted a resolution expressing their disapprobation of the practice of carrying the mail and running the trains on the Sabbath day, and pledging the Company to cooperate with all connecting lines to have the Sunday travel and mail service stopped." In this case (the "East Tennessee and Virginia Railroad Company") each stockholder had been supplied with a copy of "Railroads and the Sabbath."

The *Farmville* (Va.) *Journal* alludes to a discussion of the same question at the recent meeting of the Richmond and Danville Company, and says: "We feel assured that the mover of the resolution, requesting the Directory to adopt measures to secure a discontinuance of the Sunday mail and passenger trains on that and connecting roads, is sustained by public sentiment in this region of Virginia; and we hope the time is not far distant when the agitation of this question will result in the much desired discontinuance of Sunday trains. The responsibility of the continuance of the evil will rest with the stockholders. It is proper to add that the opposition to the proposition was founded solely in an alleged *necessity* for carrying the mails on Sunday."

SUNDAY NEWS-CRYING.

As the first practical issue successfully attempted for a quarter of a century, with the opponents of the Sabbath in this city, the efforts for the suppression of the Sunday news-crying nuisance may properly be recorded.

Though far from being the most demoralizing form of Sabbath desecration, the boisterous crying of newspapers on the Sabbath was the most palpable and defenseless method of invading the rights of the community on the day of rest and

devotion. When public attention was fairly gained to the general claims of the Sabbath, and evil practices, which had become so familiar as to be regarded almost with indifference, came to be viewed as abominations, energetic measures became necessary to do away with this nuisance. But, warned by previous failures, the matter was entered upon with great deliberation. A respectful note was addressed to the proprietors of the several Sunday newspapers, setting forth the evil, and requesting their intervention for its abatement—quite in vain. All responsibility for the public wrong was disclaimed. The whole matter was characterized as “much ado about nothing.” In later stages of the discussion, however, most of the Sunday journals made the cause of the newsboys their own, and affected to think that the “liberty of the press,” with sundry other vital principles, were involved in the question.

The course of the newspaper proprietors made the way clear for presenting to the Mayor and Police Commissioners a *Memorial*, signed by more than one hundred of the best known and most respected of our citizens, protesting against the nuisance as a school of vice to the newsboys themselves; as an evil example to our juvenile population; as an unwarrantable monopoly; as an invasion of the claims of courtesy and good neighborhood, and as a flagrant violation of the rights of our citizens to a day of uninterrupted rest, and requesting its suppression. This Memorial, with the action of the Municipal Authorities thereon, and the comments of the daily, religious, and Sunday press, forms Document No. 3—entitled “NEWS-CRYING AND THE SABBATH,” which was widely circulated. A small pamphlet was afterwards published, entitled “*The City Press on Sunday News-crying*,” containing farther extracts from the editorial columns of our leading Journals—especially those relating to the Recorder’s charge to the Grand Jury.

The Board of Commissioners of Police immediately passed resolutions directing the General Superintendent to issue an order to the Captains of Precincts “to enforce the law prohibiting the sale of wares and merchandise on the Sabbath, and also to prevent the crying of newspapers on that day.” The date of the order was May 22d, 1858.

The Police authorities proceeded with great forbearance in obeying these instructions, and Police Justices have exercised the utmost leniency in dealing with the young offenders—all aiming at the suppression of the evil, rather than the punishment of the authors of it. In most parts of the city, the nuisance has entirely ceased, and throughout it is substantially abated. The riddance is hailed on every hand with satisfaction; and will be permanent, if citizens will *make immediate complaint* at the nearest Police station whenever the attempt

is made to renew the offense. Churches, Sabbath-schools and families, as a general fact, are no longer disturbed; and the quiet essential to the Sabbath is now rendered possible and actual to most of the wearied population of our great city. The Sabbath announces its hallowed dawning by that solemn *stillness* which is itself the voice of the universal Father to his children, instead of the profane and worldly din which used to mark and mar the day of God. It will be the fault and the shame of our citizens if the refreshing repose of the Lord's Day is again interrupted by the cries of the Sunday newsboy.

The news-crying discussion had a relative importance far exceeding its intrinsic merits. This was well understood by friends and foes of the movement. For, in connection with it, the real *character and influence of the Sunday Press were revealed*. How ample soever the charity that should be extended to the exasperation of self-interest, the community at large were not prepared for such intemperate utterances as have characterized many of the Sunday papers during this discussion.* It was this sad development that led one of the most influential secular Journals to remark: "The attempt to stop the newsboys from shouting on Sunday has converted the whole tribe of Sunday newspapers [we hope there are exceptions] into open, rancorous assailants of religion and the Church. They all teem now every week with the most vehement abuse of every thing connected with Christianity, and are rapidly becoming the open advocates of infidelity. We can hardly believe their sales are as much injured by stopping the newsboys' cries as their character will be by this movement."

Another aspect of this discussion is worthy of note. On a definite issue between the Sunday press on the one hand, and the daily and religious press, the Police authorities, and the friends of an orderly Sabbath on the other, *the public sentiment has sustained the latter with gratifying unanimity*. A more healthful, manly, Christian regard for the sacred day than many counted upon, still exists in this community; and when occasion requires, it can express itself in unmistakable tones. A kind and forbearing, yet firm and unflinching, adherence to the right, when such an attitude brought unsparing reproach, prevented a disastrous termination to this issue, when failure

* Few things contributed more to the determined purpose of the people to sustain the Memorialists against Sunday news-crying, than the republication of articles in which our best citizens were stigmatized as "puritanical vagabonds," "pinchbeck Puritans," "trumpety bigots and hypocritical dullards," "petty tyrants, with souls of promoted flunkeys," "an insolent and supercilious set of pharisaical vagabonds," "religious Peter Funks," "a miserable clique of fanatics and hypocrites," "Sunday snivellers," "Aminidab Sleeks," and kindred terms.

would have been the signal for new encroachments on the Sabbath, and for increased lawlessness and irreligion among our population. As it is, we can not but hope that we have seen the worst of a sad evil, and that the moral and religious elements of influence will regain their popular ascendancy.

Another phase of this discussion adds to its significance. *It has settled the question of the propriety and necessity of the intervention of the magistracy for the protection of the right of good citizens to the enjoyment of a weekly day of rest and worship.* Availing themselves of some indiscretions on the part of Sabbath reformers in other days, and of the legitimate jealousy of all invasions of the rights of conscience, the enemies of the Sabbath had, for a generation, paralyzed at once the arm of the law and the manliness of the public in this regard : so that outrages and nuisances as illegal as intolerable on *any day*, had come to enjoy special immunity on the *Lord's Day*, lest the attempt to abate and punish them should be decried as the prompting of "ascetic Puritanism," or identified with "Church and state priestcraft"! It may be hoped that the day of this unworthy *ruse* has passed. The simple distinction between the *civil* and *religious* relations of the Sabbath—the former, as a sanitary, economical, and beneficent institution, necessary to the being and well-being of civilized society, guarded from the invasion of selfishness and disorder by human laws; the latter, with its divine sanctions, binding the conscience to its sacred observance in the measure in which religious obligations are recognized, but asking nothing of the magistracy beyond unrestricted "freedom to worship God"—would seem to relieve the whole question of Sunday laws from embarrassment. No one thinks of demanding that the religious *observance* of the Sabbath shall be constrained by law : that must be left solely to the enlightened conscience, and to the promptings of the reason and affections. But free citizens may and do claim that they shall not be molested by the godless and profane, in their churches or their homes, while exercising their rights as citizens and as worshippers; and that protection shall be extended to all who choose to enjoy their rest on the day of rest. So far the laws may go without trenching on any thing more sacred than selfishness and sin. And the public voice will sustain the administrators of law in interposing its strong arm for the restraint of all flagrant invasions of the inherent and inalienable right of man to a weekly season of repose and worship.

CO-OPERATION OF THE CIVIL AUTHORITIES.

In this connection it is but just to allude to the cordial co-operation of the magistracy of the city, so far as it has been invoked, in attempting to restrain public profanations of the Sabbath. Our worthy Chief Magistrate, the Police Commissioners, the General and Deputy Superintendents, the Police Justices, and the Captains of Police, in all the intercourse of the members of the Committee with them, have seemed to appreciate the conservative principles which control the Committee's action, and to welcome the aid brought by the friends of the Sabbath to their efforts for the promotion of order and good morals. At an early period of the year, the laws relating to the observance of the Sabbath were collated and published under the direction of the Commissioners of the Metropolitan Police, and orders were issued for their enforcement. Previous orders had required the patrolmen to report to the District Attorney all violations of the Sunday Liquor Law; and no less than *twenty-six thousand* complaints have thus been *lodged* with the prosecuting officer. The suppression of Sunday news-crying could never have been effected but for the calm determination of the Metropolitan Police force—in spite of denunciations from some quarters, and depreciation from others.

Successive Grand Juries have presented the alarming measure of Sabbath desecration as a leading cause of crime, and have remonstrated in earnest tones against this prolific source of demoralization.

The Committee regard these indications of an improved public sentiment with interest and hope. While they would be the last to counsel a frequent or needless resort to the civil power, it would seem that we have reached a crisis of lawlessness and crime, leaving no alternative between the exercise of judicious authority, and utter anarchy. A government of law must assert its power, or succumb to the vices of alien cohorts accustomed only to governments of force. We can not but believe that the Police, the Pulpit, the Press, and the People of this city will be found stronger than rowdyism and immorality, whether in ruffles or in rags.

CO-OPERATION OF THE PRESS.

One of the most gratifying and hopeful circumstances connected with the Committee's labors for the year has been the support given to the Sabbath interest by the Press, secular and religious, of all parties and denominations. Dissevered from ultraisms in sentiment, and from extravagance in plan, the

measures of the Committee have so commended themselves to the good sense and right judgment of the editorial corps as to have received a steady advocacy from quarters most influential in guiding public sentiment. The archives of the Committee contain copies of articles friendly to the Sabbath, gathered from the editorial and other columns of the newspapers received at their office, of which an aggregate of *more than fifteen millions* (15,165,500) of impressions have been printed during the year—taking the known circulation of most of these papers, and moderate estimates for the remainder, as the data for the investigation. We hazard little in expressing the belief that this aggregate exceeds the entire number of copies of articles on this subject published in this city during the preceding quarter of a century. And it has been done with a degree of cordiality and ability most honorable to the metropolitan press and to its enterprising conductors.

On the only immediately practical issue made by the Committee—Sunday news-crying—the leading journals of the city—the *Courier, Journal of Commerce, Commercial, Post, Express, Times, Tribune, Sun, and News*, among the dailies; and the *Observer, Evangelist, Intelligencer, Advocate, Examiner, Chronicle, and Protestant Churchman*, among the religious papers—gave an unwavering support to the position taken in the memorial of citizens; and it is mainly due to their influence, in connection with the efforts of the police, that our city is substantially rid, at last, of this chronic nuisance. It is believed that like unity will characterize the action of the press on all kindred issues, which contemplate the securing for our population a quiet, orderly Sunday, and the abatement of flagrant nuisances and evils offensive to all right-minded citizens, and dangerous to public morals.

The aid rendered from the outset by the editorial and other columns of a weekly journal having a circulation among the masses of more than 300,000 copies, has been exceedingly timely and valuable: the more valuable that its sound principles on this question are enforced by the consistent example of the enterprising proprietor of the *Ledger*, who uniformly arrests the motion of his busy presses, after twenty-three hours of work each laboring day, that they and their attendants may have their Sabbath, and the whole of it.

The Committee derive the greatest encouragement as to the future from the facts thus gratefully placed on record as to the attitude of the press on a vital question of social morals. In other countries, and even in Great Britain, perhaps the preponderance of influence of the newspaper press is indifferent, if not hostile to the Sabbath. On the continent of Europe hardly a single journal would employ its columns for the dis-

cussion of the subject. May we not argue from the contrast not only a more healthful moral tone among the conductors of our public journals, but a greater prevalence of the religious element among the myriad readers of our periodicals, and a rising conviction in the minds of both editors and readers that the conservation of the Lord's Day is vital to every civil, social, and sacred interest of a free Republic?

LABORS AMONG IMMIGRANTS.

Besides the beginnings of effort among the Welsh population, previously noticed, valuable articles have been translated into the German language and published in the *Amerikanischer Botschafter*—the most widely-circulated German journal in this country. But the Committee knew of no direct channel of access to the German masses, which most need information as to the views commonly cherished in this land on the Sabbath question. They therefore deemed it expedient to employ a missionary, who might communicate information as to the views popularly entertained among his immigrant countrymen on this subject, and by conversation and the distribution of suitable publications, promote a more just appreciation of the claims and blessings of the sacred day.

At the end of June, such a laborer entered on his mission—one who had the advantage of more than fifteen years' experience in kindred efforts. After due inquiry and consultation with competent advisers, *Gossner's* work, "*The Lord's Day the King of Days,*" was selected as the most appropriate treatise for distribution at the present time, both on the score of its intrinsic merits, and as being the production of an eminent *German* author. On application of the Committee, the American Tract Society generously printed and made a grant of four thousand copies of this book, which have all been distributed gratuitously, family by family, accompanied with oral instructions and faithful exhortations by the missionary of the Committee. His monthly Reports have furnished ample demonstration of the utility and necessity of such labors, and have made the Committee acquainted with the extent and forms of Sabbath desecration among this important class of our population. It would seem to be the dictate of wisdom and charity to inform the population coming from other lands of the time-honored laws and usages of this country as to the observance of the Lord's Day—differing so vitally from their own; and, until this is done, we need to exercise the utmost forbearance towards their errors and prejudices, often ignorantly cherished. But, when there is a wanton invasion of the known rights of our citizens, and a systematic corruption of

popular morals among themselves, and involving our own children and youth—as in the so-called “sacred concerts,” which are but Sunday theatricals, accompanied by drinking, gambling, and all forms of vice—no claims of hospitality, or liberty, or right, can palliate the outrage. We can not afford to have our institutions *Germanized* in this way, lest the process shall necessitate despotism in Government, and a standing army for police. If our institutions, as they are, do not afford sufficient liberty for those who have fled to their shelter, let them seek others: they may not scuttle the ship that saves them, nor burn the house that opens its doors to them, nor strike down the sun that shines upon them. This they would do, were they to obliterate the Sabbath, without which free institutions no where exist, and can no where be perpetuated.

THE SABBATH IN EUROPE.

The Fourth Document of the Committee is entitled: “THE SABBATH IN EUROPE: the holy day of Freedom—the holiday of Despotism.” It presents a brief view of the present state of the Sabbath question in Scotland, England, France, Switzerland, Germany, and Italy, from investigations entered upon by the Secretary of the Committee when revisiting Europe during the past summer. Its exposures of the influence of a holiday Sabbath, as at once a leading cause of physical, political, and moral degradation to the masses of the people; as the ally of despotism; as a fruitful source of immorality, and as fatal to the growth and prevalence of evangelical religion, were deemed to be timely, inasmuch as tendencies are rife in this country toward a Continental mode of spending the Sabbath. Two editions have been printed.

THE SUNDAY LIQUOR TRAFFIC.

Near the end of the year, various providences compelled the attention of the Committee to the monster evil of our city—the unrestricted traffic in intoxicating liquors on the Sabbath. As the investigation of this subject advanced, it was found that it involved political and moneyed interests of vast power, and that the attempt to arrest this illegal and demoralizing business, would require a measure of patient toil hardly within the power of the Committee to bestow. But it was manifest that, so long as thousands of centers of dissipation, lawlessness, and crime were actively counterworking all plans for the moral improvement of the city, little real progress could be hoped for in this or any other department of Christian effort. Relying on God, and on the united coöperation of the supporters of

law and morals, it was determined to move forward with deliberation in this herculean undertaking.

Document No. V., on *The Sunday Liquor Traffic*, has just been issued, discussing the extent and accessories of that traffic and its illegality, and showing that it is wasteful of money and health; that it engenders pauperism; causes crime; promotes lawlessness, and tends to irreligion, and suggesting suitable remedies. The *official* statement that there are 7779 dram-shops in this city, of which 7707 are *unlicensed*, and 5186 of which, kept mostly by aliens, are open on the Sabbath; and that, at the lowest estimate, not less than \$1,348,000 are expended annually by the poor and industrial classes for *Sunday* tipping, can not but arrest attention to one of the gravest evils of the metropolis. The corresponding statement in this document, that the arrests for crime on seventy-six successive *Sundays* exceed, by more than eighteen hundred and fifty cases, the arrests on a similar number of *Tuesdays*;—showing that the Sunday Liquor Traffic is directly responsible for twenty-five per cent increase to the enormous average amount of crime,—and kindred facts gathered with great care,—give to this document more than ephemeral interest. Its general circulation and perusal will carry the conviction that the Sabbath question has wide relations to vital interests. It is hoped that the farther measures of the Committee will be of a character to command the confidence and coöperation of the community, and the respect at least of even the agents and victims of an illegal and destructive traffic.

FINANCES.

The necessary expenditures in the prosecution of this enterprise have been sustained hitherto by the contributions of a few friends of the Sabbath and of the individual members of the Committee, the audited report of the Treasurer having been placed in the hand of each donor. It is believed that private liberality will supply adequate funds for the support of an expanding movement, without a resort to public appeals, or the employment of collecting agencies. Thus conducted, THE CAUSE alone will occupy public attention, unprejudiced by associations with pecuniary matters; and free-will offerings of *personal influence*—more valuable than money—may be made to the extent prompted by patriotism and piety. Should the readers of this document desire to share in the cost of sustaining the Sabbath enterprise—far from being inconsiderable—the names of the members of the Committee, and the address of its Treasurer, may be found appended.

CONCLUSION.

The Committee have not deemed it necessary to put forth any formal exposition of their views of the Sabbath, or of their plans for its sanctification. The object of their organization was eminently practical, and their labors and documents have taken this direction, leaving scholastic questions to the schools. It may suit the purposes of infidelity and of a lax Christianity to traverse anew the field of argument (already covered with the evidences of defeat,) as to the "proleptical" character of the Mosaic record of the original institution of the Sabbath; the "moral" or the "positive," or the "moral positive" character of the fourth Commandment; the place the Decalogue holds under the new dispensation; the Saviour's treatment of the Sabbath; the authority for the change of day from the seventh to the first day of the week; the views of the Fathers and the Reformers; or as to the constitutionality of Sunday laws, etc., etc. That there may be room for cavil or debate on many of these and kindred topics, need not be denied. But every candid student of the open books of nature, history, and revelation knows that the law of the Sabbath is written as with the point of a diamond on the constitution of man, in the Word of God, and in the records of the race; that it is girt about by innumerable promises, threatenings, prophecies, and providences of perpetual significance; that it was stripped of whatever was local, ceremonial, and traditional, not to lessen, but to exalt its authority under a new and more spiritual dispensation as the fitting memorial of redeeming as well as of creative love; that Christendom accepts and approves *the Lord's Day* with unanimity almost as complete as its acceptance of the Bible; that good men three, or five times three, centuries ago were fallible as now; and that statutes enacted at the foundation of our government, and existing in every free country of the globe, are likely to survive their violators.

But as practical men, conducting a practical enterprise—while standing immovably on the basis of the divine institution and perpetual obligation of the Sabbath—the Committee have chiefly to do with the palpable and flagrant profanations of the day, which invade the rights of citizens, grieve the hearts of Christians, and threaten the destruction of the institution itself. When our laboring population cease to be robbed of the earnings which their families need by the Sunday dram-shop and lager-bier saloons; when our children and servants are saved from the temptation of Sunday theatres and "sacred concerts;" when the pauperism, rowdiness, and crime traceable to the Sunday liquor traffic, are checked; when our homes,

and Sabbath-schools, and churches are freed from the nuisance of Sunday bands and Sunday cries of whatever sort; when our population are persuaded that there is more appropriate employment for the Lord's Day than the reading of immoral tales and infidel articles in newspaper journals; when the tide of dissipation, lawlessness, and unbelief, rolling in with the tide of Sabbath-breaking emigration, is turned back, we shall have a moral atmosphere more favorable to the discussion of theoretical questions affecting the nature and mode of Sabbath observance.

Meanwhile, we would leave to the individual conscience, enlightened by the word and Spirit of God, the many delicate and difficult questions relating to the holy keeping of the Lord's Day. The fundamental point being settled, that the whole of it is to be employed in other than secular pursuits—as a rest-day for body and soul—as a day of grateful memories and hallowed associations—as a stated period of devotion and charity—freed alike from gloomy austerities and worldly follies—then all the details of individual and domestic life will find an easy adjustment to its essential requirements. Should there be a leaning to the side of *strictness*, in cases of doubt and difficulty, the too common tendency toward an opposite leaning will furnish an adequate warrant, if any were needed.

With the same view, the Committee have felt constrained, on the one hand, to leave uncorrected the misrepresentations and personalities resorted to by the enemies of the Sabbath; and on the other, to decline coöperation in many specific reforms urged on their attention by its zealous friends, as untimely and inexpedient. A corrected public sentiment will initiate and sustain all needed reforms; while every attempted improvement, in advance of public opinion, will only fail of its object, and in its failure afford new pretexts for wrong-doing.

The grand, paramount object of the Committee will have been accomplished, when a healthful, manly, Christian regard for the Lord's Day shall have attained its legitimate hold of the public mind. All else will find its corrective here. Laws will take their impress from an enlightened popular will, and their administrators will then enforce them with fidelity. Practices at variance with sound morals and good neighborhood, will be abandoned. Rights, equally precious and inalienable, now invaded with impunity, will then be respected. Religion, having recovered its day of worship and instruction, may pursue its conquests, and diffuse its blessings. The soul may then have its allotted season for shaking off the dust of material interests, and mount and sing in its heavenward aspirations. Eternity, and its overwhelming realities, may then occupy its just place in the thoughts, when the sacred day

brings men to pause amid earthly cares, and reminds them of "the rest that remaineth for the people of God."

In accomplishing this object, the Committee would not multiply specific issues; but when made with deliberate wisdom, they would maintain them with manly and unyielding firmness. They would especially avoid a frequent resort to legal intervention. Certain public evils and nuisances, indeed, can only be abated by the magistracy; these the public voice will require to be suppressed. Beyond these, we would rely solely, under God, on appeals to reason and conscience. We would erect a barrier as high as Sinai against the rapacity of individual or corporate greed, that would rob the laboring man of his rest, or strip him of his earnings. We would surround the homes of the people with a moral atmosphere so pure and genial, that the fetid air of the places of Sunday resort shall stifle and repel. We would leaven society with respect and love for sacred Sabbath hours and their accompanying blessings, as a corrective for the spirit of irreverence and lawlessness; as a necessary counterpoise to selfishness and sin; as the basis of characteristics essential to self-government; and as the indispensable condition and safeguard of free institutions. We would inspire the Christian community with a more profound sense of the value of holy time as the appointed period for devout meditation, and private, domestic, and public worship; as the appropriate season for acts of benevolence; and as "the day the Lord hath made," in which to "rejoice and be glad" in Him. And we would arouse the friends of the Sabbath to a manly and determined resistance of the tendencies to its desecration, and to a united effort for its general and sacred observance.

NORMAN WHITE, *Chairman.*


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J. M. MORRISON, (Cashier of Manhattan Bank,) *Treasurer.*

 SABBATH COMMITTEE'S OFFICE, 21 BIBLE HOUSE, NEW-YORK.

MEMORIAL MEMORANDA.

- I. Memorial as to the Sunday Liquor Traffic.
 - II. Basis of Memorial--Presentment of Grand Juries.
 - III. Laws and Ordinances respecting the Traffic.
 - IV. Comments of the Daily Press on the Memorial.
 - V. The Germans and the Memorial.
 - VI. Public Drinking Fountains.
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DOCUMENT NO. VII.

OF

THE NEW YORK SABBATH COMMITTEE.

NEW YORK :

PRINTED BY EDWARD O. JENKINS,

No. 26 Frankfort Street.

1859.

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SUNDAY LIQUOR TRAFFIC.

I.—Memorial as to the Sunday Liquor Traffic.

To the Board of Commissioners of the Metropolitan Police :

GENTLEMEN:—Section 5 of the Metropolitan Police Act provides, that “It shall be the duty of the Board of Police hereby constituted, at all times of the day and night . . . to preserve the public peace; to prevent crime, and arrest offenders; to protect the rights of persons and property; to guard the public health; . . . to see that all laws relating to the observance of Sunday, and regarding . . . gambling and intemperance . . . are properly enforced; and to obey and enforce all ordinances of Common Councils,” &c.

Your memorialists appeal to the accompanying extracts from the Presentments of four several Grand Juries—made under the sanctions of an oath by citizens of the highest respectability—and to the records of your own department, for proof that the Sunday Liquor Business disturbs “the public peace;” causes “crime;” invades “the rights of persons and property;” wastes “the public health;” defies “the laws relating to the observance of Sunday;” shelters and encourages “gambling;” and creates “intemperance:” and all this, and more, in open contempt of the Laws of the State, and of the Ordinances of the Common Council, which your Board are pledged “to obey and enforce.”

The burdens of taxation for Courts, Police, Prisons, and Alms-House purposes, have come to be so onerous as to compel the attention of tax-payers to their causes; and your memorialists find that the principal parasite on the industry and wealth of the city exists in the seven thousand seven hundred unlicensed dram-shops, more than five thousand of which pursue their otherwise illegal business

on the Christian Sabbath. Now, were the evil merely negative, as in the withholding from the Treasury of half a million dollars a year due for Licenses; or in the failure to collect the fines imposed by law,—amounting at the lowest computation to a million dollars for the misdemeanors committed each Sunday of the year—it might be endured. But, when this traffic throws a large majority of the pauper army—some 40,000 strong—on the support of honest capital and industry [see extract from Presentment, February, 1859]—itself contributing to multiply, but almost nothing to support its recruits; when it crowds our Criminal Courts, monopolizes the business of our Grand Juries, and throngs our prisons with its thousands of pupils or graduates in vice and crime; and when it enervates labor, impoverishes and demoralizes families, engenders juvenile rowdyism and general lawlessness, weakens the moral restraints and invades the sanctities of the Lord's Day, and counteracts the benign influence of philanthropy and religion, your memorialists cannot refrain from invoking, as in their own behalf and in behalf of their fellow-citizens they do respectfully but earnestly demand, PROTECTION AND RELIEF.

The statistics of your Board demonstrate a connection so intimate between Sunday tippling and crime, as, on that ground alone, to require the attention and action of your Department. It appears that while the arrests for the *Tuesdays* of eighteen months preceding December 8, 1858, amounted to but 7,816, the arrests for the corresponding *Sundays* were 9,713,—an absolute excess of one thousand eight hundred and fifty-two above the ordinary average of week days; or an increase of drunkenness and crime on Sundays of *twenty-five per cent.* over the usual enormous proportion of wickedness traceable on all days to dram-drinking.

Even more convincing is the testimony of your last Annual Report, in which you give the arrests on three successive Sundays, "while the law was observed," amounting to 254, compared with those of the same number of Sundays, "when the liquor-dealers learned they could violate the law with impunity," which amounted to 503, to "show conclusively the effects of closing the liquor-shops in lessening the amount of crime and of "breaches of the peace." Thus, on the evidence of this official paper, the partial and temporary execution of the laws restraining the Sunday Liquor Traffic prevented one-half of "the crime and of breaches of the peace"

otherwise to have been looked for, and actually committed when legal restraints were removed. What then might be hoped from the complete and permanent suppression of that traffic? And with such demonstration of the connection of cause and effect, would not your Department be warranted under the common law, as well as by the provisions of your organic Act, which makes it your "*duty to PREVENT crime and arrest offenders,*" in employing the whole force under your control in suppressing this parent evil, rather than in the hopeless pursuit of its offspring, whose "name is Legion?" Or, to use the language of a recent Grand Jury, have you not authority to extirpate "the roots of this tree of evil, so that it shall neither yield bud, leaf, flower, nor fruit, instead of using ineffectual efforts to crush the fruit after it has ripened?" Here, as elsewhere, would not "an ounce of prevention be better than a pound of cure?"

But your Department is not left to the necessity of resorting to its general police authority for the power to abate the evil of which we complain. While existing laws may be susceptible of improvement, they are numerous and stringent enough, properly enforced, to secure the desired end. Besides the Metropolitan Police Act, under which 26,000 complaints have already been made by your prompting—some of which may yet be prosecuted to conviction—the 7,702 unlicensed venders, or either of them, may be arrested under the statute of 1857 for the *misdemeanor of selling on Sunday as on any other day*; while *licensed* dealers come under the Sunday provisions of that statute. Then, the Corporation Ordinance of 1855 prohibits all Sunday liquor sales as misdemeanors, punishable by fine or imprisonment, and complaints may be made before any magistrate. Surely there is law enough, and we believe public sentiment, so long outraged, will sustain the enforcement of it; and will demand the coöperation of the magistracy, which may be expected to be cordially rendered, in freeing the city from one principal cause of excessive taxation, pauperism and crime.

But inasmuch as there may be among the thousands of dram-shop and beer-house keepers—especially among the foreigners, who embrace nearly the whole of the Sunday dealers—some who are still ignorant of the unlawful nature of their business, your memorialists would suggest the expediency of printing and circulating

in every dram-shop the laws and ordinances affecting the Sunday liquor traffic: *accompanied by a distinct notice that, from and after a fixed date, the whole power of the Police Department will be persistently employed in securing obedience to their provisions, and in restoring the ascendancy of law and order.*

In the judgment of your memorialists, a course like this is due to the dignity and authority of your own Department; to the community whose lives and property are entrusted to your guardianship; to that portion of the foreign immigrant population who lack respect for the laws and institutions which give them shelter; to the victims of poverty and crime whose moral natures need to be nerved by sacred Sabbath influences against the temptations of the week; to the families whose daily bread is taken from their mouths to become money for the Sunday publican, and poison for husbands and fathers; to Christian citizens whose quiet is invaded and whose moral sense is shocked by the orgies of the Sunday dram-shop and theatrical saloon; and to morality and religion, which can no more coëxist with a profaned and dissipated Sabbath than can our free institutions,—here and everywhere depending for their prosperity and perpetuity on the popular recognition of the principles of the Decalogue and the lessons of the New Testament.

It only remains for your memorialists severally, and in behalf of all good citizens, to assure your Board of their cordial and unwavering support of whatever wise and efficient measures may be adopted for the suppression of the Sunday Liquor Business.

P. Perit	L. Lorut	John Hone
Benj. L. Swan	Oliver Slate, Jr.	James S. Aspinwall
Thomas H. Faile	I. V. Onativia	J. P. Giraud Foster
C. R. Robert, Jr.	Drake Mills	Wm. H. Aspinwall
Wm. Whitlock, Jr.	P. R. Pyne	Sam'l W. Comstock
Wm. L. Jenkins	Simon De Vissa	Peter V. King
R. T. Woodward	E. Ponvert	N. W. Chater
Robt. C. Goodhue	G. W. Gray	Henry Chauncey
John Slade	J. Whitehead	Fred. G. Foster
A. B. Neilson	P. V. Hoffman	H. y Chauncey, Jr.
Stewart Brown	Benj. H. Field	B. W. Weston
James Brown	John Alstyne	Horace Gray, Jr.
James M. Brown	A. M. Tredwell	A. Foster
Fred. De Peyster	Theodore Dehon	Geo. Griswold
Roswell Sprague	Edward Penfold	Geo. Griswold, Jr.
Wm. H. Macy	James Thomson	Corn's Grinnell

Chas. H. Marshall	John J. Cisco	James Lenox
Chas. Lamson	Thomas Denny	G. B. Crane
L. B. Wyman	Wm. H. Neilson	H. P. Howell
David Ogden	R. J. Thorne	Thomas Kehoe
Mortimer L. Fowler	A. R. Walsh	Warren Carter
Geo. T. Elliot	Aug's Belknap	W. E. Sibell
Arch'd Russell	Edward Prime	Zebedee Ring
John J. Morris	Wm. Curtis Noyes	Peter Balen
Jacob Story	Lora Nash	Homer Morgan
Henry Kelly	John A. Ubsdell	John G. Nelson
Oliver H. Lee	John H. Redfield	H. T. Dwight
Nath'l Currier	Moses A. Hoppock	L. P. Stone
Horace Holden	John C. Tucker	Jas. Humphrey
R. B. Minturn	Horace Webster	E. White
J. P. Fellows, Jr.	Daniel Parish	Chas. B. Hatch
Geo. D. Phelps	H'y G. Marquand	Samuel Hotaling
Norman White	Jacob Le Roy	R. C. McCormick
R. M. Hartley	Winth'p S. Gilman	E. L. Beadle
F. Bronson	Josiah Lane	J. K. Johnson
Wm. H. Smith	James D. Oliver	O. E. Wood
D. H. Arnold	Chas. P. Kirkland	Harmon Kingsbury
Jacob Brouwer	Wm. A. Booth	Robert Carter
Thos. H. Chambers	Bernard Logan	S. H. St. John
R. H. McCurdy	S. H. Thayer	Wm. Alex. Smith
J. P. Cronkhite	W. S. Clark	Sam'l S. Sands
Thos. W. Clerke	James H. Towle	John Ward
Wilson G. Hunt	James E. Weir	John Warren
Lucius Hopkins	B. H. Stryker	Jas. W. Underhill
G. T. Cobb	A. C. Stryker	J. H. Gourlie
George Opdyke	Henry Fisher	T. W. Thorne
L. B. Woodruff	Caleb T. Rowe	M. Tompkins, Jr.
Edw'ds Pierrepont	Geo. Andrews	H. T. Morgan
Joseph Hoxie	Wm. B. Bodge	John Miller
Thos. L. Chester	Wm. H. Beebe	Frederic Bull
H. M. Forrester	E. I. Blake	H. Meigs, Jr.
J. B. Nelson, M. D.	R. N. Havens	Sam'l Coulter
James Graydon	P. Edw'd Vermilye	Joseph T. Sanger
John M. Bruce, Jr.	A. Merwin	L. C. Clark
Roe Lockwood	J. W. Brinckerhoff	J. B. Trevor, Jr.
Wm. G. Lambert	John L. Smith	James B. Colgate
James Low	Jos. W. Patterson	R. L. Cutting
Geo. Carpenter	Seth G. Babcock	Geo. T. Hope
Daniel Lord	W. F. Van Wagenen	Wm. H. Le Roy
W. R. Vermilye	Peter Richards	Le Grand Lockwood
W. M. Vermilye	James L. Todd	Thos. Morgan
Jasper Corning	James W. Newton	J. M. Doe
W. S. Bishop	Chas. E. Converse	Gus. P. A. Sabine, M. D.

Matthew Maury	M. Van Schaick	Peter Cooper
Rutson Maury	Sam'l A. Church	S. A. Mower
John D. Clute	Edmund C. Fisher	Tredwell Ketcham
William M. Dart	F. P. Woodcock	Francis L. Johnson
James Dart	Frederick F. Betts	R. E. Edwards
Norman Dart	W. C. Williams	B. H. Bixby
W. P. Comstock	A. G. Ranney	David Wetmore
W. B. Griswold	George G. Spencer	Henry Day
F. Thompson	Danford Knowlton	Geo. DeForest Lord
Miles J. Jenkins	Ezra Wheeler	Samuel R. Mabbatt
Elbridge T. Gerry	John Thompson	W. Decker
William Tracy	D. V. H. Bertholf	Wm. H. Payne
John M. Barbour	V. L. Buxton	Thos. Outwater
Fred. S. Tallmadge	R. H. Barnes	Allwan H. Vassar
Eastburn Benjamin	J. Jay Greenough	J. H. Williams
David W. Price	Duncan McMartin	Jas. K. Place
J. Champion	Wm. A. Arnold	Chas. Place
Ed. D. Barnes	James Buell	Jas. D. Sparkman
John J. Johnston	John H. Ormsbee	E. B. Place
John S. Neston	Simon V. Vedder	S. F. Goomridge
William Nixon	Ira Bliss	Jno. T. Walker
George T. Jackson	A. Decker	Hugh N. Camp
Robt. B. Roosevelt	W. W. Phillips	J. O. Fowler
Theo. Roosevelt	J. X. McLanahan	Wm. H. Kniffin
Isaac Hicks	A. B. Belknap	R. H. Nodine
J. A. Roosevelt	Thos. C. Chalmers	V. LeComte
J. T. Dean	Thos. S. Shepard	Philip Teets
H. L. Pierson	Edwin Hyde	Halsted & Gilman
Sam'l Hopkins	N. Sullivan	F. L. Hewitt
Hy. L. Pierson, Jr.	P. F. Randolph	G. M. Tracy
James B. Taylor	Wm. A. Budd	H. A. Bostwick
D. L. Winchester	Thos. Slocomb	John Ruston
Leonard Warner	Aug. W. Sexton	R. H. Lievesley
Henry B. Hyde	M. G. Baldwin	William Young
Robert Bliss	Courtlandt Palmer	Sam'l T. Skidmore
Wm. R. Moore	Chas. Tracy	Henry S. Oakley
Wm. Hall	Walter Edwards	Jas. C. Harriott
George Dixon	Jno. E. Parsons	John G. Haviland
John S. Seal	Leonard Perkins	Richard Oakley
E. H. Garbutt	Jas. M. Halsted	E. H. Champlin, M. D.
Wm. H. Black	John A. Stewart	E. M. Kingsley
Sam'l E. W. Barry	F. W. Downer	Elias Loomis
W. Hart Smith	W. H. Munn	Francis Bacon
Charles Gould	A. T. Anderson	O. R. Kingsbury
Joseph H. Choate	Z. Stiles Ely	M. D. C. Crawford
Wm. H. C. Barnes	C. B. Corlies	J. P. Newman
F. B. Betts	E. M. Crawford	D. Terry

E. L. Fancher	Wm. F. Havemeyer	Wm. Tucker
Wm. Truslow	James L. Phelps	Le Barron Hammond
Zachary Peck	Walter C. Palmer	A. G. Nichols
G. Maniere Tracy	J. B. Oakley	S. R. Smith
Andrew J. Odell	James Farrelly	Jas. E. Smith,
Thos. McFarlan	James S. Huggins	H. C. S. Jervis
D. T. Staniford	R. R. Ward	F. W. Jolly
Samuel Bangs	W. Edwards	Alfred Simonson
Wm. A. Budd	Philetus H. Holt	Reuben Pine
H. J. Baker	Benjamin Loder	Gilbert F. Henshaw
Alfred S. Purdy	James B. Wilson	D. H. Sargent
W. Keeler	Asher Taylor	C. H. Hawkins
Jno. McClintock	G. De Forest	Isaac Anderson
John W. Graydon	John A. Weeks	Moses Baldwin
W. R. Martin	Francis R. Rives	Alexander Miller
Ralph Mead	Edwin O. Carnes	C. P. Woodworth
Wm. A. Cox	Cyrus W. Field	Wm. Barker
Joseph Graydon	Daniel Conger	T. D. Thompson
A. R. Wetmore	Jos. W. Alsop	B. Cauley
Noah Worrall	John J. Owen	Henry G. Miller
S. Throckmorton	Joseph H. Gray	John A. Dahn
Dan'l L. Ross	Edward J. Owen	Jacob Visel
A. M. Osborn	E. H. Owen	J. B. Arthur
T. A. Howe	Sam'l Carlile	Edwin H. Wade
Thos. Otis Le Roy	G. Waters	Edmund Young
E. A. Le Roy, Jr.	Jos. Greenleaf	Vilroy Wilcox
Edw'd A. Le Roy	G. W. Thorp	John Dawson
Irad Hawley	J. M. McLean	J. B. Beers
John H. Swift	James C. Bogert	James Furey
G. W. Burnham	C. R. Robert	Benj. F. White
Chas. H. Booth	Joseph Stuart	John Anthony
W. Clapp	Wm. Forrest	S. E. Reid
E. R. Dibblee	Wm. E. Dodge	John Torkey
Russel Dart	D. Willis James	Chas. N. Daily
Lewis B. Henry	Wm. E. Dodge, Jr.	William Betts
Effingham Cock	I. Seymour	A. W. Bradford
Chas. Tuttle	William Scott	Sheppard Homans
Jas. H. Patten	Mason Thomson	Wm. K. Strong
Jas. A. Edgar	Carlisle Norwood	Richard Patrick
Jas. P. Pennell	C. A. Davison	John Wadsworth
Wm. Van Allen	Chas. E. Strong	F. S. Winston
J. H. Woolley	H. B. Washburn	Robt. Taylor
E. M. Denman	Henry C. Porter	G. W. Ford
Daniel Hoffman	John Post	J. A. Cauder
Henry A. Lee	R. B. Conklin	E. D. Nelson
Robert J. White	Sam'l Smith	Sam'l M. Janes
Francis Hall	Wakeman Burritt	James Webb

Moses Taylor	Caleb O. Halsted	T. C. Doremus
J. E. Hoagland	Joseph Flynn	John K. Myers
Freeman Bloodgood	C. Wm. Cregier	Edwin Hoyt
Thomas Lewis	John E. Quin	James Warren
Chas. Roberts	Wm. W. Bennet	Silas Brown
R. Murray, Jr.	M. T. Condon	Geo. S. Stephenson
W. O. R. Arnold	W. W. Knapp	A. R. Lawrence
Alex. M. Ross	S. R. Packer	I. N. Post
Henry J. Howland	Thos. B. Carpenter	O. D. F. Grant
Robert I. Lomas	Samuel J. Knapp	Robert Forrest
J. F. Van Wickel	Daniel R. Young	Howard Potter
James McAllister	Daniel S. Hoff	John Crosby Brown
A. H. Wemple	J. L. Snedecor	Clarence S. Brown
G. W. Smith	Elbert Austin	Abbott Brown
Sam'l Squire	Walter Reid	John E. Johnson
William Penney	Wm. A. Baldwin	Wm. S. Doughty
O. Twist Hopper	Abel Gruber	James Stuart Gillan
William Carpenter	Robert G. Cornell	I. H. Woods
Sidney Smith	William H. Taylor	James S. Woods
David B. Dwire	John H. Moore	Alex. W. Murray
W. M. Washburn	Alfred Smith	David S. Dodd
W. Cunningham	Dan Van Nostrand	John Sandaver
J. B. McDonnell	W. L. Allen & Co.	William E. Hebbert
A. C. Hall	W. K. Moore	J. S. Holt
Wm. J. Durr	George Smart	Wm. Waters
Thos. R. Ackland	Samuel Crooks	Robert C. Martin
Wm. R. Guest	Thomas P. Way	Stephen Smith
Geo. W. Frost	C. Bruno	H. K. White
Henry Knowlton	Seth W. Hale	John W. Sterling
J. M. Naughton	A. Carter, Jr.,	William Rockwell
E. H. Richards	Chas. E. Hale	Francis Leland
Wm. Mook	Augustus K. Sloan	A. Masterton
James S. Egbert	M. H. Gallaher	D. Fairbank
Fred. Clinch	David Dodd	E. Lawrence
Chas. H. Dietz	H. W. Wheeler	I. Park, Jr.
William Lalor	J. M. Morrison	L. H. Holmes
Archibald Bishop	Wm. H. Hoople	T. Van Brunt
James Reid	Jas. F. De Peyster	R. Ross, Jr.
James M. Taylor	Wm. Muir	Edmund Hyalt
Thos. G. Barrell	Chas. W. Sawyer	J. W. R. Ludlow
Wm. L. Skidmore	H. M. Lamport	Edward McVickar
Erastus Goodwin	John W. Baker	J. A. McVickar, M.D.
Joseph Center	John M. Vanderlip	S. B. Barlow, M. D.
Francis A. Curtis	Geo. H. Christian	E. M. Kellogg, M. D.
E. Norcross	Cyrus Peck	F. P. Smith
O. F. A. Brockway	J. F. Stoddard	W. D. Hutchings
M. Perry	James Anderson	Wm. Douglas

II.—Basis of Memorial—Presentment of Grand Juries.

The Grand Jury of February, 1858, WILSON G. HUNT, Foreman, present:

“That a serious and growing evil is the disregard, by certain classes of the public, of the laws designed to preserve the due observance of the Sabbath. * * * In some of the most populous sections of the city, on the afternoons and evenings of the Sabbath, theatrical exhibitions, secular concerts, bowling and pistol galleries, juggling shows, dancing-houses, bands of music, tippling-saloons, and all species of lawless entertainments are maintained, in open violation of law, and in disregard of public authorities. To these lawless places are attracted vast numbers of unguarded youth and demoralized maturity of both sexes, and dissipation, quarrelling, and frequent violence are among the consequences. Independent of the annoyance and offence which these disturbances create to the law-observing and Christian portion of the community, the fact that the laws may thus be openly violated, and the constituted authorities fail to secure their due observance, can not but produce the most pernicious effect upon the illdisposed, who participate in these lawless gatherings, as well as those who are encouraged in their evil course by the inefficient administration of the law. We would recommend that the laws for the suppression of these exhibitions be rigidly enforced, and that it be made the special duty of the Police to suppress them by the undeviating execution of the law. It cannot be denied that these unlawful gatherings are among the fruitful causes of engendering in the corrupted youth of our city the fearful tendencies to crime which are daily manifested in our criminal courts.”

The Grand Jury of October, 1858, L. R. MORRIS, Foreman, say:

“The desecration of the Sabbath by persons frequenting the numerous drinking, dancing, and singing saloons, scattered broadcast over the city, is a subject of constant complaint, and calls for prompt and efficient action on the part of the authorities for its suppression. The Grand Jury is in possession of facts showing that about twenty thousand complaints for the violation of the Sunday Liquor Law have been reported by the police, not one of which has been prosecuted. It is the opinion of the Grand Jury that every law respecting the desecration of the Sabbath should be rigidly enforced, at least so far as is necessary to prevent an interference with the peace of those who prefer to devote the day to higher and loftier purposes.”

The Grand Jury of Jan. 21, 1859, THEO. MARTINE, Foreman, say:

“The Grand Jury cannot close their labors without presenting to the Court and to the public the important fact, that a very large portion of the business which has occupied its attention has arisen from the sale and use of intoxicating liquors.

“Nearly all the cases for murder and assault and battery which have been investigated—and the number has been great—have been found to spring from these causes; and the grand inquest can see no reason to expect any diminution of crimes so long as the present almost entire absence or inefficiency of the laws for the suppression of the sale of intoxicating liquors continues.

“The Grand Jury is well aware that this subject has often been presented to the consideration of the Court, and suggests no remedy. This it leaves to the wisdom of our Legislature. But so long as the evil exists to the alarming degree that it does at present, so long will it demand the denunciation of all good citizens, and their best efforts to abate it.

"It is well known that the number of places for the sale of such liquors ^{is} greatly multiplied within the last few years; and *this may account in the same means* ^{re} for the great increase of the amount of crime, pauperism and taxation of our city, and the increased business of our criminal courts."

The Grand Jury of February, 1859, CHARLES AUGUSTUS DAVIS, *Foreman*, make this impressive presentment :

"The pauper circle of this city and county now reach the alarming number of nearly *forty thousand*; this number is divided into two classes, *indoor* and *outdoor* poor. The indoor, about one quarter of the whole, or over eight thousand persons, and the outdoor the balance, or say over thirty thousand. Thus about forty thousand paupers (or pensioners upon public bounty,) are assigned to the care of the Governors of the Alms-house department, (and kindred charities,) at a cost to the tax-payers of a sum nearly the *entire tax levy* of only twenty years ago. These are facts of a very alarming character, especially so when we find, in the face of all this benevolence the evil is rapidly on the increase, and gives unmistakable evidence that just as far as public charity inclines to go, just so far will pauperism follow it up, if not overrun it. Large and beautiful as our public charities now are, our private charities fall little short of it. * * *

"In the investigation of cases in a long catalogue of crime presented to us at the beginning of the present term, we find, with very few exceptions, *the crimes charged have their origin in resorts and dens of iniquity, where intoxicating liquors are sold and drank*; and had as the best of them may be, the lowest and worst are kept by foreigners, or people of foreign origin, and all this in defiance of existing laws.

"If it were practicable to transfer all such cases to another tribunal, the duties of the Grand Jury could have *ended in as many hours as it has required days* to finish or diminish the calendar. It is fearful, to the tax-payer, at least, to see how much he is called to contribute of his industry to pay the Cost of *Courts, Police and Prisons*, besides the *Alms-house*, which eventually becomes the recipient of the victims, if they escape the prison or the gallows."

[NOTE.—The previous statements as to the extent of pauperism were based on the Alms-house Report of '57. That for '58, just issued, shows the *increase of thirty-seven thousand* out-door poor within the year. The superintendent says: "From the accompanying statement and statistics for the year ending December 31, 1858, it will appear that 7,625 adults and 12,527 children have been relieved by donations in money, and 37,834 adults and 52,836 children with fuel, *showing an increase of 37,011 persons relieved, and an increase of expenditure of \$29,826 78 over the preceding year.*"]

Extract from RECORDER BARNARD'S *Charge*, Dec. 10, 1858.

"Under the Liquor Law, 20,000 or more civil complaints had been filed, but there had been no indictments under the law, in consequence of the differences of opinion of various judges as to its constitutionality. But *this question had recently been settled in the Court of Appeals, in favor of its constitutionality*, and if any cases of its violation were brought before them, it would be their duty to find indictments, and help to check that monstrous evil, the indiscriminate sale of spirits by day and night, in all parts of the city. The Liquor Law also provided penalties for the adulteration of liquors, and *it would be safe to say that at least nine tenths of the liquors sold in New York were adulterated with the most deleterious poisons.*"

ALMS-HOUSE STATISTICS OF RUM AND CRIME.

CITY PRISON.

J. C. Whitmore, Acting Warden of the City Prison, presents the following interesting table among others:

Nativity.	Males.	Females.	Total.
Number received who were Natives,	5,983	2,785	8,768
“ “ “ Foreigners,	15,114	11,290	26,404
Total,	21,097	14,075	35,172

Thus, of the 35,172 persons arrested for crime and disorder in 1858, 26,404 were foreigners, and *thirty thousand two hundred* were "INTEMPERATE," as follows:

HABITS OF LIFE.

Number received who were	temperate,	3,521	1,451	4,971
" " "	intemperate,	17,576	12,624	30,200
Total,		21,097	14,075	35,172

BLACKWELL'S ISLAND HOSPITAL.

The habits of patients admitted during 1858 are in the following proportions: Temperate, 15 1-10 per cent.; moderate drinkers, 23 4-10 per cent.; intemperate, 39 8-10 per cent.; habitual drunkards, 21 6-10 per cent.; unascertained, 1-10 per cent.; total, 100. *Eighty-five of every one hundred persons confess the use of intoxicating drinks in a greater or less degree. Sixty-one in every one hundred admit that they are intemperate drinkers or habitual drunkards.*

III—Laws and Ordinances affecting the Sunday Liquor Traffic.

1. *Laws prohibiting all traffic, gaming and theatrical exhibitions.*

§ 58. [Sec. 64.] No person shall wilfully disturb, interrupt, or disquiet any assemblage of people met for religious worship, by profane discourse, by rude and indecent behavior, or by making a noise, either within the place of worship, or so near it as to disturb the order and solemnity of the meeting; nor shall any person within two miles of the place where any religious society shall be actually assembled for religious worship, expose to sale or gift any ardent or distilled liquors, or keep open any huckster-shop in any other place, inn, store or grocery, than such as have been duly licensed, and in which such person shall have usually resided or carried on business; nor shall any person, within the distance aforesaid, exhibit any shows or plays, unless the same shall have been duly licensed by the proper authority; nor shall any person, within the distance aforesaid, promote, aid, or be engaged in any racing of any animals, or in any gaming of any description. †

§ 59. [Sec. 65.] Whoever shall violate either of the provisions of the foregoing section may be convicted summarily before any justice of the peace of the county, or any mayor, recorder, alderman, or other magistrate of any city where the offense shall be committed; and on such conviction, shall forfeit a sum not exceeding twenty-five dollars, for the benefit of the poor of the county.

[In default of payment of fine and costs, by Sec. 68, imprisonment not exceeding 30 days is required.]

§ 66. [Sec. 70.] Prohibits "gaming, frequenting of tippling-houses, or any law-

* Under this, the cries of newsboys become unlawful.

† This part of the section may apply to lager bier theatricals.

‡ This prohibition is applicable to the cut-of-town racing sometimes complained of.

ful exercises or pastimes, on the first day of the week, called Sunday," and prescribes a small fine for each offense.

§ 67. [Sec. 71.] No person shall expose to sale any wares, merchandise, fruit, herbs, goods, or chattels, on Sunday, except meats, milk, and fish, which may be sold at any time before nine of the clock in the morning; and the articles so exposed for sale shall be forfeited to the use of the poor, and may be seized by virtue of a warrant for that purpose, which any justice of the peace of the county, or mayor, recorder, or alderman of the city, is hereby authorized to issue, upon a conviction of the offender. When seized, they shall be sold, on one day's notice being given, and the proceeds shall be paid to the overseers of the poor of the town or city.

2. *Laws prohibiting the sale of liquors without license.*

The Laws of 1857, chapter 628, § 13, provide:

"Whoever shall sell any strong or spirituous liquors or wines in quantities less than five gallons at a time, *without having a license therefor*, granted as herein provided, shall forfeit fifty dollars for each offence.

"§ 14. Whoever shall sell any strong or spirituous liquors or wines to be drunk in house or shop," &c., "*without having obtained a license therefor as an inn, tavern, or hotel-keeper*, shall forfeit fifty dollars for each offence."

"§ 16. It shall be the *duty* of every sheriff, under sheriff, deputy sheriff, constable, marshal, policeman, or officer of police, to *arrest* all persons found actually engaged in the commission of any offence in violation of this act, and forthwith to carry such person before any magistrate of the same city or town, to be dealt with according to the provisions of this act; and it shall be the duty of the magistrate" "to require a bond in the penal sum of one hundred dollars . . . or to commit such offender to the county jail," &c. "And it shall be the duty of the magistrate to entertain any complaint of a violation of this act, made by any person under oath, and forthwith to issue a warrant," &c.

[These provisions cover Sunday as well as week days, and they affect the 5,000 Sunday liquor-shops, *none of which are licensed.*]

3. *Law of 1857, [Chapter 628] prohibiting Sunday sales by licensed dealers.*

§ 21. No inn, tavern, or hotel-keeper, or person licensed to sell liquors, shall sell or give away any intoxicating liquors or wines on Sunday, or upon any day on which a general or special election or town-meeting shall be held, and within one quarter of a mile from the place where such general or special election or town-meeting shall be held in any of the cities, villages, or towns of this state, to any person whatever, as a beverage. In case the election or town-meeting shall not be general throughout the state, the provisions of this section in such case shall only apply to the city, county, village, or towns in which such election or town-meeting shall be held. Whoever shall offend against the provisions of this section, shall be guilty of a misdemeanor, and on conviction shall be imprisoned in the county jail, work-house, or penitentiary, not more than twenty days.

4. *The Metropolitan Police Act provides: [Laws of '57, chapter 569.]*

§ 21. *It shall not be lawful for any person to publicly keep or dispose of any intoxicating liquors upon the first day of the week, called Sunday, or upon any day of public election within the said Metropolitan Police district, under a penalty of fifty dollars for each offense, to be sued for and recovered in the name of the People of the State of New York by the district attorney of the county wherein the offense is committed, for the benefit of the Police Contingent Fund, hereby authorized; and it shall be the duty of the Board of Police to strictly enforce the provisions of this section, by its proper orders in respect thereto.*

5. *The City Ordinance of 1855 enacts:*

§ 1. *If any person in the city of New York shall sell by retail or deliver in pursuance of any such sale, any wine, ale, lager bier, or other strong or spirituous liquor, or shall consent to allow, or permit any wine, ale, lager bier, or other strong or spirituous liquor by him or her so sold or delivered, to be drank in his or her house, outhouse, garden, or other premises whatsoever, without being licensed according to law,—or, being so licensed, shall sell or deliver, or consent to allow or permit any wine, ale, lager bier, or other strong or spirituous liquor sold or delivered as aforesaid, to be drank as aforesaid on the first day of the week called Sunday, excepting to boarders and lodgers or actual travelers within the provisions of the law, he or she shall, for every such offense, be liable to the pains and penalties hereinafter mentioned.*

§§ 2-4. *Provide that it shall be the duty of any magistrate to issue a warrant "upon complaint of the violation of any part of the first section," and on proof or confession, "to convict the offender of a misdemeanor, and for each and every such conviction shall fine him or her in a sum not to exceed ten dollars, and in default of payment" may be committed for "a period not exceeding one day for each dollar of fine so imposed," all moneys thus received to be paid to the Almshouse department "toward the support of the poor of said city."*

Every Sunday sale of liquor, then, is a violation of at least four laws:—those against all traffic; that against unlicensed liquor-selling; the Metropolitan Police Act of 1857, and the city Ordinance of 1855.

IV.—Comments of the Daily Press.

PRESENTATION OF MEMORIAL.

From THE TIMES, May 28.

SUNDAY LIQUOR SELLING AND THE POLICE COMMISSIONERS.—A double delegation of citizens, American and German, waited on the Police Commissioners yesterday afternoon, to present memorials on the Sunday Liquor Traffic. Messrs. Pelatiah Perit, James Brown, C. O. Halsted, Norman White, Roswell Sprague, A. B. Neilson, James W. Beekman, and other well-known gentlemen, with Messrs. Moller and other Germans, composed the delegation.

Mr. PERIT, in presenting the memorial, briefly stated its objects, and expressed the hope that, so far as they came within the scope of the Department, they would be carried out.

Mr. BOWEN thought the responsibility for the existing state of things was largely with the magistracy and the prosecuting officers. Numerous complaints had already been made which had not been prosecuted. He was not certain as to the power of the police to arrest offenders against the Sunday Liquor Laws.

Mr. WHITE said the evils of the traffic under consideration were so obvious, and affected so deeply the moral condition of the city, that the press and the public would demand, or they had a right to demand, the execution of the laws. Surely the magistrates would not obstruct their enforcement, with overwhelming proofs that, while they were left in neglect, all law was comparatively powerless. He directed the attention of the Commissioners to the city ordinance of 1855, which makes every Sunday sale of liquor a misdemeanor; to the Excise Law of 1857, which provides a penalty of \$50 for each offence, either of selling on any day without a license, or of selling on Sunday if licensed, and makes it the duty of every policeman to arrest offenders; to the Metropolitan Police Act, which affixes a fine of \$50 to every Sunday sale, and requires the Police Board to execute the laws protecting the Sabbath, and to the Statute prohibiting all traffic on that day, under a penalty of confiscation of the goods exposed for sale, whether liquors or dry goods.

When distinguished strangers visit our city, we are proud to exhibit our humane and reformatory institutions, and point to the ample provisions of our Almshouse, and kindred establishments, as proofs of benevolent forethought. Would it not be a prouder monument could we, by abating the causes of pauperism, and the temptations to crime, show that Almshouse accommodations and municipal jails were comparatively needless? The memorialists are the more encouraged to seek protection and relief from the evils of the Sunday liquor traffic, on account of the readiness heretofore manifested by this Department to comply with all reasonable requests of citizens to suppress crime and abate public nuisances.

There is little room to doubt what the action of the Commissioners will be when the committee to whom the memorial was referred present their report. The case is as clear as the alternative between anarchy and order. No law has power and no executive department is entitled to respect, so long as a class interest defies both, and depradates without restraint on the property and moral interests of the city.

From THE COURIER AND ENQUIRER, May 31.

THE SUNDAY LIQUOR TRAFFIC IN NEW YORK.—We are glad that so strong and earnest a movement has been made to stimulate the Metropolitan Police Commissioners to enforce the laws against the Sunday Liquor Traffic. Undoubtedly that Board have found some discouragement in the culpable remissness of the prosecuting attorney and the magistracy, to prosecute and convict some of the offenders who

have been arrested; but we fancy they will hardly themselves pretend that they have fully and faithfully performed the duties imposed upon them, in the premises, by the Metropolitan Police Act. Should the Board once show themselves resolutely determined to carry out their powers to the uttermost in this public service, and not allow themselves to be diverted from the path of duty by official delinquency elsewhere, they would soon draw a force of public sentiment to their side that would peremptorily impose action upon the other branches of public administration. What is most of all needed is an unflinching, untiring, thorough exercise by some one of the Departments of the public service, of every means and appliance afforded by the law. Let this determination once be put beyond question, and the other public agents, whose coöperation may be necessary, whatever their disposition, will find it impossible, for any length of time, either to thwart or hold back. Especially will this prove true when an authority, provided with such powers and resources as the Police Board, assumes such a stand.

There is not an honest, intelligent policeman in this city who is not ready to declare that the Sunday Liquor traffic is an unmitigated curse. It occasions nearly, if not quite, as much drunkenness as upon all the other days of the week combined, and to tens of thousands it makes what ought to be a day of rest a saturnalia, productive of misery, vice and crime. It bears with special injury upon the poorer classes, for it exposes them to peculiar temptation on their only day of leisure, fleeces from multitudes of them their hard earnings, destroys their physical constitution, their character, and their self-respect, and sends hundreds annually to the prison and the alms-house. The police records of every city where the Sunday Liquor Traffic is allowed are sure to show a very much larger number of commitments on that day than on any other in the week. The suppression of this traffic within the last few years in many of the English cities has had an immense effect in reducing the number of crimes and misdemeanors. There cannot be the slightest doubt that the experiment would result with equal advantage in this city were it once faithfully tried.

Those men whose souls are absorbed in a single idea, will, we suppose, look with little favor upon this movement. If subterranean rum-hells are to be allowed to pour forth their drugged and poisonous fire for six days in a week, they will see but little gain in closing up the sluices upon the seventh. Many zealous friends of temperance, we have little doubt, will regard time spent in lopping off the branches of the Upas tree of Intemperance as worse than useless. It must be rooted up and annihilated. Nothing less will satisfy them, and unless they can do this they will do nothing. Now this, we think, is all wrong. During six days of the week the mass of our population is constantly and unceasingly at work. The inexorable law of necessity impels all who must earn their bread by the sweat of the brow—and there are but few others—to employ themselves better during work days than in drinking and revelling. But the seventh is a day of rest, and for twenty-four hours the iron hand of labor ceases to move. The harrassed operative and the jaded clerk, the industrious mechanic and the care-worn merchant, are all seeking rest and relaxation to fit them for the toil of the coming week. And in what manner is this done? Many go to the temple of God, and others to the green fields of the country; but who, that is familiar with the streets of this city at Sunday midnight, does not know that more are engaged in such licentious and drunken revelry as only dares to show itself in the obscurity of night. Imbecile and drivelling drunkenness reels solitary along the sidewalks, muttering to itself curses and blasphemies—fit prayers to close such a day's worship. Frantic and crazy drunkenness goes about in gangs, raving impiously, and defying alike the laws of God and man. It is sad but true, that the day set apart for the observances of religion is more than all others appropriated to drunken rioting and profligacy.

Within the last three or four years our police system has greatly improved in efficiency, but there has been no corresponding diminution of crime. The last Quarterly report of the Deputy Superintendent in fact showed a most marked increase. To suppress crime, it is not enough to be vigilant in overtaking it; it must be barred and stopped at the outset. The law must always, to a certain extent, be its own helper; and if it would save itself from violation, it must work diligently in all directions. Its office is not merely to punish, but to prevent; prevention is in fact its highest prerogative. It must prevent, by removing facilities and temptations, and opening a clear field for the operation of all moral and

spiritual influences. The liquor traffic, at best, we know, is fraught with a vast amount of social mischief; yet, in the existing state of public opinion, it is an unavoidable evil. But there is no reason in the world why it should be an unregulated evil. It may be restricted and controlled, and stripped of half its power of injury. Our present license system is an utter sham. Nobody pretends to regard it. The vilest wretches can deal out the vilest poison without let or hindrance. This curse has been growing until it has come to be almost beyond endurance. It is high time there should be some mitigation; and the first great practical mitigation must be the faithful enforcement of the laws against selling liquor on Sunday, except in such places as have accommodation for man and beast. This single reform would cut down the number of grogeries in this city a third, if not a half, for most of them now derive their chief profit from the Sunday traffic. We most earnestly trust that the Police Commissioners will respond to enlightened public feeling, and address themselves with persistent energy to this great work. A clamor may be raised by those who care for nothing but their own sordid interests, but all that public spirit which is worth caring for will sustain the effort; and its benefits would soon make themselves so apparent as to silence, even for very shame, its worst enemies.

From THE JOURNAL OF COMMERCE, May 28.

SUNDAY LIQUOR TRAFFIC.—The Sabbath Committee appeared before the Police Board yesterday, and presented a memorial asking for the suppression of the Sunday liquor traffic. Norman White, President of the Committee, and Pelatiah Perit, addressed the Board briefly in behalf of the measure. The memorial was referred to the appropriate committee. It bears the signatures of 540 persons, including many of our most respectable citizens. The material parts of it we subjoin, adding our earnest hope that the Police Board will carry out the views of the memorialists, by all the means in their power. *Sunday tipping*—turning the Sabbath into a day of dissipation and excess—is probably the most summary method ever devised by man or devil to corrupt the public morals, and destroy the bodies and souls of men. The safety of the community demands that an evil so productive of pauperism and crime, and consequently of taxation and misery, shall be done away.

From THE EXPRESS, May 28.

THE SUNDAY LIQUOR TRAFFIC.—We call especial attention to the memorial against the liquor traffic that was presented to the Police Commissioners, on Friday, by a delegation of prominent citizens. The document is plain, forcible, and unanswerable in its statements, and requires decided action on the part of the Police Board. The whole subject of this miserable traffic has been under consideration by the Sabbath Committee for six months or more, and they have reason to believe that a combined effort of the press, the police and the public, will result in the substantial abatement of the enormous evil.

There is no need of argument to demonstrate the fact that the greater proportion of crime in this city is owing to the liquor traffic in one way and another; and the comparison of the number of arrests on Sundays when the ordinances were partially enforced, and when no effort at all was made to procure an observance of the law, proves that more than one half of the arrests on the Lord's day are rendered necessary by the existence of this immoral business. The memorial calling upon the Police Board,—not to assume any doubtful powers, but simply to enforce the existing laws, which are amply sufficient for the purpose,—is signed by over five hundred of the most respectable and influential gentlemen in the community. Merchants of universal reputation for integrity and wealth, lawyers of renown, physicians and simple gentlemen, side by side, call upon the Commissioners to do their duty. With all our heart we join our voice to theirs, assured that if the Commissioners only make an honest, determined effort, the Sunday liquor traffic can be put down with comparatively little difficulty, and in a very short time.

From THE COMMERCIAL ADVERTISER, May 28.

THE SUNDAY LIQUOR TRAFFIC.—A large number of citizens have signed a memorial addressed to the Commissioners of Police, asking that the laws and ordinances

against the Sunday traffic in liquor may be strictly enforced. The memorial was yesterday presented to the Board, and by them referred to the committee on regulations. We hope the gentlemen who presented the memorial will see to it that it does not sleep in the committee of the Police Commission. It is time that the question was settled whether the laws and ordinances directed against this fruitful source of demoralization and crime can or cannot be enforced.

The memorial now before the Commissioners of Police clearly establishes three things: First, that a large proportion of the crime of this city is directly traceable to this Sunday liquor selling. Second, that the traffic is entirely illegal; and, third, that the Police Commissioners are by law responsible for its suppression.

The first point is too notorious to need proof, but the memorialists have deemed it proper to recapitulate the evidence. This is found in the presentments of various grand juries, who uniformly testify that nearly all the cases of murder, of assault and battery, and of similar offences, are to be traced to intemperance, and that such intemperance is largely promoted by the open sale of liquors on the Sabbath. The memorialists also adduce statistics, prepared by the acting warden of the City Prison, confirmatory of these presentments. In truth, the evidence on this point is overwhelming.

Legal prohibitions of the traffic, and of its corollaries, gaming and theatrical exhibitions, on the Sabbath, are abundant, and are all-sufficient, notwithstanding some technical objections that have been made against them, and these laws it is the duty of the Police Commissioners to enforce. The act creating the Commission is itself imperative on this point, as the following section will demonstrate:

"SEC. 1. It shall not be lawful for any person to publicly keep or dispose of any intoxicating liquors upon the first day of the week, called Sunday, or upon any day of public election within the said metropolitan police district, under a penalty of fifty dollars for each offence, to be sued for and recovered in the name of the people of the State of New York, by the district attorney of the county wherein the offence is committed for the benefit of the police contingent fund, hereby authorized; and it shall be the duty of the Board of Police to strictly enforce the provisions of this section, by its proper orders in respect thereto."

No words could have more clearly imposed this duty upon the Commissioners of Police. Yet with this direct responsibility reciting upon the Commissioners, what are the facts in relation to the Sunday traffic in liquor? More than five thousand liquor shops are open every Sunday, and the illegal business is openly carried on in them, the consequence of which is a general demoralization on that day, utterly at variance with good order and Christian civilization. It is true that the police have *laid complaints* against a goodly number of these offenders—a course that has proved utterly ineffectual for the suppression of the offence. But by the Statute law of 1857, it is made the duty of the police to *arrest* such parties, and this part of the duty the Police Commissioners have not discharged. Let them do this, and they will effectually grapple with the evil. That it is their duty is plain; and that consideration should be sufficient. But they would be sustained also by public sentiment, for the community are weary of this monstrous evil, and would rejoice to see it effectually and permanently removed.

And with this must be coupled the suppression of another rapidly growing evil, viz.: Sunday theatres or theatrical exhibitions, which are a scarcely less prolific source of demoralization than Sunday liquor shops. The Police Commissioners have been as culpably negligent respecting these unlawful gatherings in desecration of the Sabbath as they have with respect to the liquor dealers. There is no doubt as to the interpretation to be put upon this law. These Sunday exhibitions are notoriously and indisputably illegal, and should be, and must be, suppressed, if the sacredness of the Sabbath is to be a permanent institution in this city. But so far are they from being even restrained, that their number is increasing, and their character rapidly becoming more vicious and base. Nor can the Sunday liquor traffic be suppressed if these dens of dissipation are not also closed, for the liquor trade is combined with the exhibition. Most earnestly is it to be desired that the Police Commissioners will act upon the prayer of these memorialists, and apply the force at their command to the immediate rectification of these evils.

From THE TRIBUNE, June 4.

THE SUNDAY LIQUOR TRAFFIC.—We are glad to see by the memorial of the Sunday

Liquor Traffic which we publish elsewhere, that use and habit have not reciprocated all our citizens to the entire and total contempt with which the laws in restriction of the liquor trade have of late been treated. It is well to have the public attention recalled once more to the fact—which well established and patent as it is, seems in danger of being forgotten—that of our annual burden of forty thousand paupers and thirty-five thousand criminals, by far the larger part are imposed upon us through the agency of the seven thousand seven hundred dram-shops which exist in this city, almost the whole of them in direct defiance of law.

It is true that this memorial aims directly only at preventing the illegal sale of liquor on Sundays. But there are very good reasons on behalf of a special effort, limited in the first instance to that day. In the first place, the law as to the Sunday traffic is more strict, precise, comprehensive, available and reiterated. In the second place, the prevailing sentiment of this community as to the sacredness of Sunday will come in aid of the enforcement of these laws. In the third place, of all days in the week, Sunday is the day upon which the illegal sale of liquor is carried to the greatest extent, and is attended by the most injurious consequences.

As to the law, it is not only abundant, but superabundant. There are not less than four distinct enactments by which the Sunday Liquor Traffic is made an offence and is subjected to penalties, one of which, among others, is the forfeiture of all the liquors thus exposed for sale.

As to the support which the enforcement of the law may be expected to derive from the prevailing sentiment in favor of the sacredness of Sunday, there is this notable fact: that of the seven thousand seven hundred unlicensed drinking-houses of this city, a third part, including almost all those kept by citizens, are closed on that day, though on other days of the week they do not scruple to disregard the law; so that one-third of the work is already done to our hands, and that by the keepers of the shops themselves.

On the other days of the week, when not merely a great variety of other places of resort and amusement are open, but when the great mass of our people are absorbed in their labors, the temptation to excessive drinking held out by these shops is far less than on Sunday, which is a day of leisure and relaxation. All reasons, therefore, combine to urge a special effort for the enforcement of the law on that day.

From THE EVENING POST, June 4.

SUNDAY LIQUOR SELLING.—We refer our readers to the memorial published in another column, addressed by a number of our most prominent citizens, requesting the Board of Police Commissioners to suppress Sunday liquor selling, and other nuisances, which interfere with the quiet enjoyment of religious worship. There is no doubt, in our opinion, either of the desirableness of the measure sought by the memorialists, or of the powers of the Board to employ and enforce them.

From THE [ONCE SUNDAY] DISPATCH, June 4.

The New York Sabbath Committee have given up the chase after the Sunday newsboys and taken up the case of the Liquor Dealers. We have now before us No. 5 of the Tracts being issued under the auspices of the Committee. It is entitled "The Sunday Liquor Traffic," and after giving the extent of the business, proceeds to show the evil accessories of the trade and its lawlessness, wastefulness, consequent pauperism, crime and immorality, and closes by urging upon the Police Commissioners and Courts the necessity of enforcing the Sunday law against the Liquor Dealers. The Committee back this pamphlet by a powerful appeal to the Police Commissioners, signed by about one thousand of our leading citizens, praying that body to exercise the power conferred on them to suppress the Sunday Liquor Traffic. This is the most formidable petition that has ever been got up in this city on the subject, and from what we hear of the agencies which procured the appointment of Capt. Pillsbury as Superintendent of Police, we are led to believe that the whole power of the police is about to be brought to bear against the Sunday Liquor Dealers. It is said that over a million of dollars has been pledged to protect the officers in the enforcement of the law [!]

From THE SUN, May 28.

A MEMORIAL as to the Sunday liquor traffic was presented yesterday to the Police Commissioners, stating that there are 7,700 unlicensed dram shops in the city, of which more than 5,000 do business on the Sabbath. The arrests on Tuesdays during eighteen months' time were found to be but 7,816, while the arrests on Sundays were 9,713, being an increase of twenty-five per cent., caused by dram-drinking alone. For three successive Sundays, while the Sunday Liquor Law was enforced, the arrests were 254, and on three following Sundays, when not enforced, the arrests were 503. These facts are urged with great pertinacity and force upon the Police Department, who are urged to enforce the Liquor Laws under the present statutes.

From THE TIMES, May 21.

PREVENTION OF CRIME.—A thriftless farmer leaves weeds and worms to scatter their seeds and make their nests, until his domain is worthless. A day of timely labor would have exterminated his pests. We have the image of such a farmer before us whenever our attention is called to the mode of dealing with moral vermin in a great city like our own. Instead of nipping crime in the bud, drying up fountains of evil rather than following its streams, staying the causes of iniquity instead of fruitless dealing with effects,—the beginning, middle and end of Police tactics seem to be directed to the arrest of offenders. It is the *boast* of each return from the Police Department that the *arrests* have been more numerous than ever before.

Now, we would remind the Police Department that law, and philosophy, and common sense, alike require the application of its powers in quite another direction. While arrests should follow crime with promptness and certainty, let the ambition of the Department be to abate the known incentives to wrong-doing: to *prevent crime itself*. If one-half of the patrolmen were devoted to this single object, under intelligent direction, and if a corps of Detectives were employed for this specific service, the fruits would be apparent at once. But they must be men of principle—not loungers in dram-shops and haunts of vice.

We would not forestall the action of such a *preventive Police*; but one or two hints, based on the statistics of the Police Department and the Almshouse Reports, may put them on the scent of crime-breeders.

When tracing crime to its causes, they will find 32,200 persons out of 35,172 arrested and committed to the City Prison in 1858—or about ninety per cent.—were “intemperate.” Where did they become “intemperate?” At the seventy-two *licensed* liquor-shops? or at the 7,702 unlicensed ones? If at the latter, why not execute the laws against unlicensed dram selling, and thus prevent the crimes that drunkenness causes? If at the former, why not hold them to their legal responsibility?”

If they look a little further, they will find from the statistics of their own department that Sunday liquor-selling adds twenty-five per cent. on that day to the terrible daily average of crime; and that even a temporary enforcement of the numerous laws and ordinances against that traffic resulted in diminishing crime one-half. Why, then, with such data, neglect the energetic application of the powers of the department in suppressing that unjustifiable and most demoralizing traffic?

So of pauperism. If the official statement of the Ten Governors can be relied on, the number of paupers has reached the prodigious proportion of about *one-seventh* part of the population—an increase of 37,011 within the past year. There is some cause for this; what is it? Turn to the Blackwell's Island Hospital Report, and you read, “Eighty-five of every one hundred persons confess the use of intoxicating drinks in a greater or less degree; sixty-one in every hundred admit that they are intemperate drinkers or habitual drunkards.” Here then cause and effect again stand connected, and the Police should occupy themselves with the cause. Do the laws authorize this enormous burden on the wealth and industry of the city? Was it by a legitimate traffic that a hundred thousand men, women and children were impoverished and thrown upon public charity? If not, would it not be as well to arrest the traffic as to support its victims?

These are only hints. The subject might have multiplied illustrations. But the principle is incontrovertibly sound that the *prevention* rather than the *punishment* of crime, as it is the great object of Government, should be the first aim of the officers of Law.

From THE TRIBUNE, May 21.

ARE WE FREEMEN?—It is doubtful. Too much liberty has made us slaves—slaves of appetite, and of panderers to appetite. In a word, New York has sold herself to rum. Rum is king and master. Rum makes and breaks our laws. Rum elects our rulers. Rum robs our Treasury. Rum piles up our taxes. Rum fills our prisons and almshouses. Rum is our ruin.

Official reports inform us that 30,200 out of the 35,172 persons arrested for crime during the last year, were "intemperate!" They tell us that eighty-five per cent. of the sick paupers were more or less intemperate, and that sixty-one per cent. were habitual drunkards. They tell us that the total of the pauper army in this city exceeds 100,000—larger than the force of Sardinia when on a war footing—and that it has increased 37,011 within a single year. Rum's doings again.

Cannot a truce be gained for one day in seven? Must the poor man's rest-day be invaded by temptation to drunkenness and crime? Is there not enough of self-respect and regard for decency left to demand the protection which our laws extend over the citizens' right to Sunday? Should it not suffice that 7,700 dram-shops are allowed to drug the community without license or law six days of the week: and must 5,000 of them continue to break these laws by every Sunday sale of these intoxicants? Why, the fines of a single Sunday for illegal sales of liquor, were they collected, would pay the taxes of the city for a year! The pitiable condition of our city in this behalf is due solely to the apathy of its citizens. A single manly concerted movement of the people would free the city from the power of its taxmaster, as speedily and as peacefully as the Italian states, one after another, are casting off their tyrants.

From THE MORNING EXPRESS, June 3.

WHAT ARE THE LAWS?—With no king but law, not one of a thousand of our citizens know aught of the vast body of statutes affecting popular rights and duties. We have known instances when intelligent men have rushed to Albany to demand legislation upon matters amply provided for in existing laws; and, even public officials have been heard to express doubts as to the constitutionality of enactments long before decided by the Court of Appeals as of unquestionable validity, or to ask for authority to do what the law prescribed their duty and delegated to them the power to do, by specific statutory provision.

Since the agitation of the Sunday liquor traffic question, we have taken occasion to refresh our memory as to the legal matters involved. We find concurrent legislation on the subject for almost half a century. The statute of 1813, confirmed by acts in 1824-7, and in various forms repeated down to 1857, with decisions of courts of highest authority in support of every main principle—all go to settle the point that the sale of intoxicating liquors of whatever sort on Sunday is a misdemeanor, to be restrained by the magistracy.

The laws of most recent enactment are cumulative in their tenor and in their stringency. The city ordinance of 1855—prompted and partially executed by Mayor Wood—imposed a fine not exceeding \$10 for Sunday sales, as a misdemeanor. The Law of 1857 prescribes a fine of \$50 for every offence, if the vender be licensed, and a like penalty of \$50 for every unlicensed sale, irrespective of the punishment to be inflicted for the criminal offence.

Then the Metropolitan Police Act also imposes a fine of \$50 for every act of selling on Sunday or any election day, and it enjoins it as "the duty of the Board of Police to strictly enforce the provisions of this section."

Thus, instead of exhuming some obsolete and defunct statute—"your strict old Sunday laws," as the German *Demokrat* phrases it—the memorialists on the Sunday Liquor Traffic simply demand the "protection and relief" afforded by half a dozen living statutes, including that which gave being to the Police Board itself. If that is obsolete, so is the Police Department.

We have had a bitter experience of lawlessness, rowdyism, and crime. Year by year it has been plunging the city into deeper disgrace. Shall we not try the experiment of good laws, firmly enforced by an honest magistracy and an efficient police? If we understand the public wants, this is the one desideratum. If we know aught of public sentiment, this is the universal demand.

From Police Report in THE TIMES, June 11.

COMMON PLEAS.—THE SUNDAY LIQUOR CASES.

In the Halpin case the jury found a verdict for the State for the amount of the penalty—\$50.

The case of Peter Hynes was next called. This defendant is charged with selling liquor on the Sabbath of the 16th of August, 1857.

What appeared peculiar and wholly unexplained in this case was, that four-fifths of all the jurors called were liquor dealers, or had been, or were particular friends of that class of people. How they came to be present on these particular trials, does not clearly appear.

CLOSING OF THE SUNDAY LIQUOR SHOPS.

From the JOURNAL OF COMMERCE, June 20.

THE LIQUOR SHOPS YESTERDAY.—The police yesterday made a really determined and successful effort to shut up the liquor shops throughout the city. They have no authority, it is claimed, to close the establishments forcibly and arrest the venders in the act, and therefore confined themselves to notifying the offending parties that they would surely be punished for a violation of the ordinance. The intention of the police authorities in this respect having been publicly announced a few days ago, the liquor-selling fraternity very generally conformed to the law by locking up their bars and literally closing their places of business, front doors, back doors and windows included, as it was understood that the mere technical closing of a half door, and one shutter up, which is allowed to satisfy on election day, would not be good enough for Sunday. The excellent effects of the movement were plainly perceptible throughout the city in the marked diminution of drunkenness and rowdiness; and for once the day seemed like a Christian Sabbath indeed. The happy change was particularly noticeable in the Fourth, Sixth and Seventeenth wards, in which it had been confidently predicted that the ordinances never could be enforced. That this opinion—which has long been entertained by people of the despairing sort—is a bugbear, was completely proved by the general compliance with the police mandate in those localities yesterday. The rowdies being excluded from the rallying places where it was their Sunday custom to fire up, and then issue forth for riot and crime, were compulsorily sober and peaceable. A few small retail dealers snapped their fingers at the police, and defied the law which they will have a chance to confront before the magistrates during the present week. The larger sellers cheerfully acquiesce in the justice and propriety of the ordinance, and, as their influence is on the side of right, there is no obstacle even in this loosely governed metropolis, in the way of a thorough breaking up of the Sunday liquor-selling business.

From THE EXPRESS, June 20.

* * * What has been said of the above-mentioned wards may be said of the rest. The city was more quiet than on any Sunday for many months. It was also seen that those most obedient to the law were the keepers of small places, the larger ones being kept wide open as a general thing. In the upper wards everything was unusually quiet, and fewer shops were open than down town. It is estimated that the decrease in the number of arrests throughout the city will be, compared with last Sunday, about 35 per cent., owing, as a matter of course, to the inability of "bummers" to get all the liquor they wanted. Even in those places kept open the bar-keepers were instructed not to sell to men already affected with liquor, and to this also may be attributed, aside from the closing of shops, the small amount of drunkenness that prevailed.

This excellent beginning is the direct result of the efforts of the Sabbath Committee. They have been unwearied in their exertions to procure an observance of the Sunday Laws, and, with Temperance men, to procure the punishment of those who violate the most stringent provisions of those laws. The successful litigation that has been carried on against the Sunday liquor-sellers, during the past week, has also had a very salutary effect; and should the Court of last resort sustain the action of the Court of Common Pleas—of which there can hardly be a doubt—the result will be the practical abolition of Sunday liquor-selling in this city. We trust that the gentlemen who so far have succeeded will persevere in their good work until the end. A long and patient continuance in well-doing cannot fail to bring its own reward.

From the same, June 16.

THE SUNDAY LIQUOR CASES.—Yesterday morning, the People having recovered twelve successive verdicts against the liquor dealers for violation of the Sunday Liquor law, Mr. JAMES M. SMITH, the liquor dealers' counsel, entered into a stipulation in open Court, that the ninety-nine cases remaining on the calendar untried should abide the ultimate event of the People *vs.* James C. Halpin, in which case, it will be recollected, a verdict was found by the jury last week for the penalty of \$50 in favor of the People. The Court having approved of this disposition of the cases, it was assented to by Mr. WILCOXSON, in behalf of the District Attorney.

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V.—The Germans and the Memorial.

From THE TIMES, June 1.

THE GERMANS AND THE SUNDAY LIQUOR TRAFFIC.—We observe with regret that the *Staats Zeitung* and one or two other German dailies seem disposed to mislead their readers as to the object sought by the memorialists on the Sunday Liquor Traffic. No new laws are demanded. No old and obsolete laws are dug up for enforcement. All that is asked of the Police Commissioners is, the firm and forbearing execution of laws and ordinances enacted under the Administration of Mayor Wood, in 1855, and by the Legislature of 1857, and this after due notice served upon the offending parties.

It is no crusade of Temperance men against liquor-sellers, but a calm appeal from a large body of our most conservative citizens, justly alarmed at the increase of taxation, pauperism and crime, demonstrably connected with Sunday tipping, for protection against the lawless and demoralizing traffic on that day.

Nor is it a movement of American citizens to abridge the rights or to interfere with the comforts of citizens of foreign birth. The presentation of the memorial in English, by an influential delegation, with Mr. PERT at its head, was accompanied by the presentation of a *German* memorial, numerous and respectfully signed, by a German delegation, with Mr. MOLLER, a wealthy sugar-refiner, at its head. Thousands of our German fellow-citizens feel as deeply the dangers and the disgrace of the Sunday tipping habits of some of their emigrant countrymen, as any American can. We are assured on good authority, that it would be quite easy, if it were needful, to present thousands of German names, attesting their opposition to the immoral and destructive traffic which brings their national character into reproach. The law-abiding element is strong in the German character; and when it is known, as it must eventually be, that the Sunday lager-bier theatres and dancing saloons, and kindred places of temptation to crime and wrong-doing, are condemned alike by the laws of the State and the public sentiment of the City, the Germans themselves will be the foremost to sustain the authorities in restraining the selfishness and disorder of the few thousands among them who prey upon the substance and disgrace the name of our Teutonic fellow-citizens.

The organs of German opinion in New York will neither advance the interests nor strengthen the influence of the race which they represent by angry appeals to the unenlightened prejudices of their readers, against the deliberate drift of the best public sentiment of New York. With the German theories of Sunday observance in general we have nothing to do. We advance no Pharisaic and sweeping criticisms upon the customs which make the Sunday of the German so different a day from the Sunday of the Englishman or the American. Races may well differ upon this as upon so many other points of ritual worship or substantial theology. But it is perfectly compatible with the largest toleration that we should insist upon the observance by all classes of the community of statute laws which have been enacted by the delegated agents of the whole population. The minority which undertakes to brow-beat the officers of the law into suspending the discharge of their duty, and seeks practically to nullify the established order of municipal authority, is quite as justly chargeable with overbearing bigotry as the majority which sustains that order. A fanaticism of lager-bier is certainly not more respectable than a fanaticism of cold water; and if our German contemporaries really think themselves aggrieved by the Crusaders of Temperance, they can hardly ask us,

therefore, to acquiesce in their own contemptuous trampling under foot of the law of the land.

From THE EXPRESS, May 31.

THE GERMAN PRESS ON SUNDAY LAWS.—The "DEMOKRAT" is talking about the "frogs," who presented to the Police Commissioners a memorial, praying them to enforce the Sunday laws; and it is very indignant that two German "frogs," Messrs Moller and Fackiner, were among them. These "frogs," it says, come out at times like frogs, croaking about the desecration of the Sabbath. The Demokrat then quotes the memorial, and exclaims, "that it goes even beyond the real frogs!"

It contends that the people must have one day in the week, when they may relax and recruit themselves; and that it is all the fault of the "frogs" themselves, that on Sundays there is more crime committed and more drunkenness than on any other day of the week, because they cut off every opportunity for the people to enjoy themselves properly on Sundays. It says:

"They are all not such stockfish as to content themselves with the prayer-book. We have some summer gardens, summer theatres, &c., but not half enough. Our day steamboats and railroads ought to convey thousands to the suburbs, where music and dancing and gymnastic exercises, on the greens, under the trees, should be in order; and joy and life should reign supreme everywhere. Then, Messrs. water simpletons, put your noses in your Irish dram-shops, and you will find them empty."

This is the sort of slang used in answer to a memorial which said not one word against Sabbath recreations, visits to the suburbs, &c., which was mainly aimed at Sabbath drunkenness, Sabbath violations of law and Sabbath offences, which add nothing whatever to a man's moral, social, physical or personal comfort, but which, upon the other hand, commit nothing but injuries. We know very well that reformers may push things to extremes, but when they do not ask for these extremes, and do ask for only that which is right, the German Press ought to help and bless them, instead of maligning and denouncing their efforts for good.

From THE TIMES, June 3.

Our Germanic Cotemporaries.

THE literature of Lager-bierdom is all Dutch, happily or unhappily, to the great mass of New Yorkers. The *Demokrat* or the *Staats-Zeitung* may rail, or blaspheme, or talk treason by the column, and not one of a thousand of these to the manor born know a word about it. Thus, one of the most important elements of our population may be corrupted and misled on grave questions of moral or political concern, not only without the knowledge of the English-speaking population, but without any antidote—for there is not a single German journal that can be relied on to communicate fairly the views commonly cherished in this country on questions involving distinctive national characteristics,—not one that represents justly the opinions of the Americanized portion of the German population itself.

We have an illustration of the condition of matters in this respect in the course of the German press of New York on the "Sunday Liquor Memorial," presented by respectable American and German Delegations, last week, to the Board of Police Commissioners. Instead of treating a document of the most marked character for its prudence and forbearance—leaving the general Temperance question as well as the general Sunday question wholly out of view—with courtesy or decency, these organs of the Lager-bier interest resort to the most vulgar abuse of the memorialists, and to the grossest misrepresentations of the memorial. Appeals are made to the lowest passions and prejudices. An attempt is made to override law and custom dear to every American, and to inaugurate the manners and morals of a special class of European immigrants in their stead. According to the *Demokrat*, the 500 or 600 gentlemen who signed that memorial are "bull-frogs," who stick their heads out of the mire of their orthodox faith and croak into the world, "keep the Sabbath!" The act of presenting a respectful memorial for the execution of numerous laws recently enacted by the people of the State, but openly defied by a small class of refugees from the Old World—is styled a "frog-concert;" and gentlemen of position and worth are "a Delegation of frog-heads!"

The *Staats-Zeitung* seems to have a little more method in its madness, but is very mad nevertheless. It sees nothing in the movement but ultra-Temperance and ultra-Sabbath oppressions, which are to be manfully resisted! One would suppose, from its diatribe, that each of the thousand memorialists was a rampant reformer of the Garrison type, with a besom in his hand, as formidable as Luther's pen, which reached from Erfurt to Rome!

Our Teutonic neighbors should remember that all of their readers are not forced to gather all knowledge of city affairs from their columns. There are large numbers of respectable merchants, importers, and others, who read both German and English; who know the character of the abused memorialists, and of the memorial, and who also know that the German name suffers by the attempted identification of it with the ascertained causes of our city's predominant curses and crimes. They know that the once frugal and industrious German emigrants are preyed upon by interested countrymen, who beguile them of money, health and character, by their pot-houses and Sunday theatres, so that beggary and ruin are coming to be common among Germans, as they used not to be. And knowing these things, it will be in vain that editors lend their columns to the support of the law-breaking, pauper-making, crime-breeding traffic, even if it is associated with the lax, and, in many cases, vicious notions of Sunday observance cherished by a part of our continental immigrants.

We would also suggest to our German neighbors that something is due to the deep-rooted convictions and the time-honored laws of the land of their adoption. Emigrants from Europe knew, if they knew anything of America, that Sunday was here held in popular estimation as a day of rest and worship, and guarded as such by statutes in vogue from the foundation of our Government. They knew that the rollicking pastimes, and drunken carousals, and popular theatricals common to some parts of Europe, were unknown and unsuffered here. While no statute abridges the rights of conscience or prescribes any method of Sunday observance, numerous laws hedge around the poor man's—every man's *right* to undisturbed quiet one day in seven; and, in the interest of the laboring man, interpose needful restraints on the selfishness that would compel him to labor, or tempt him to dissipation. In this view, may we not claim that the Sunday laws, until repealed, shall be respected and enforced?

The old proverb, "When among Romans do as the Romans do,"—though capable of abuse and having its limitations, yet embodies a maxim of morals and manners. Suppose American residents in Berlin or Vienna should take it into their heads that a rollicking Fourth of July, with songs, and toasts, and rockets, was more jovial than Good Friday, with its stillness and gloom; or should prefer to substitute a weekly carnival of the sort for the frequent Fast or Saints' days of the calendar—would it be seemly and right to claim a place for such offensive or revolutionary plans? Would it be oppressive or discourteous should the *gens d'armes* say: "Gentlemen, you came from America with the knowledge of our laws and customs; you are free to enjoy their protection, or to return to your homes: but while you stay, you must forego even cherished national peculiarities offensive to our laws and dangerous to our institutions."

Whether right or wrong, Americans cling to Sunday, and will cling to it, and to all that is necessary to its vitality as a day of home, happiness, and devotion. And, in spite of the blunders of temperance reformers, they will cling with equal tenacity to the cardinal virtue of temperance rightly understood, so as to save the city and the nation from plunging into the besotting vice of drunkenness.

Translated from THE NEW YORK DEMOKRAT, May 30.

"THE LORD'S DAY."—As bull-frogs from time to time stick their heads out of the mire, and by their melodious croaking fill the listening air and then again return to their watery and muddy element, so the Sabbath-holy ones now and then put forth their heads out of the mire of their orthodox faith, and croak into the world: "Keep the Sabbath!" "Break not the Lord's Day!" Such a frog-concert was had on Friday afternoon before the Police Commissioners, to whom, by a delegation of frogheads, was delivered a memorial, in which they protest most sacredly against the sale of intoxicating drinks on Sunday, and ask the enforcement of the Sunday laws.

The *Times* names among the delegates two Germans, though it is said there have been more with them. On Saturday we received a German petition to gather subscriptions for the above purpose. The following passage may serve as a characteristic of the same: * * * *

This beats the frogs!

However, ye lords of the Sabbath, hear a word in earnest! Why are the taverns crowded mostly on Sunday? Why is more crime committed on Sunday than on other days? Are not the same taverns and theatres open every day?

You yourselves are to blame, with your strict old Sunday laws. The workman is deprived of his day of recreation, which he needs after a week's toil. Not every body is so stockfish-like as to find recreation in the prattling of a black gown or in a pious prayer-book. The narrow workshop requires the contrast of open nature, and the necessity of work compels perfect freedom. Well, then, give this natural inclination a free course, and the Sunday will be a day of joy and not of vice.

To that freedom it will and must come yet in spite of the croaking of the water-men; every day shows progress in this respect—and all the harmonic music-making from the mry regions "is for the cat" (for nothing).

Though, in some places where influence of the preachers predominates, they should succeed to repress reason for a while, to dream such a thing of New York is ridiculous.

We have summer gardens and summer theatres, but not half enough. Steam-boats and railroads must yet carry the thousands into the open air on Sunday; music and dancing must sound under green trees and whither we turn; everywhere we must meet pleasure and life and joy; and then, ye lord water-simpletons, you may stick your noses into the rum-pot houses which make your pious hearts tremble so much, and you will find them empty, but not before.

Translated from THE NEW YORK STAATS ZEITUNG, May 31.

SUNDAY LAW PETITIONS.—Petitions demanding the strict observance of the 5th Section of the Metropolitan Police Act are now going around. One translated into German has come into our hands. We do not recommend signing it, and decidedly caution against it.

This fifth paragraph, it is known, speaks of the Sunday law. The petition has particular regard to the sale of intoxicating liquor,—it is a *temperance petition*. We do not intend to excite to disobedience of existing laws, neither is it in our mind to speak the word for a movement in favor of laws whose constitutionality we have always disputed.

We consider drunkenness, either publicly or privately indulged in, a vice; nor do we belong to those who think intoxication on the Sunday more justifiable than on a week day; but we combat every thing done in the interest of the temperance principle as prejudices, hypocrisy, and political capital. Whoever puts his name to the petition subscribes to all these prejudices, and as an immigrant takes the same position to the temperance fanatics, in which an adopted citizen stands who petitions for paragraph 12; for in the circular the immigrants are particularly mentioned as Sunday violators.

The error and arbitrariness which connect the European Sunday observance with the increase of crime and pauperism, have been sufficiently discussed by us. We give the same answer to the originators of the petition, based upon the Sunday manifestoes of several grand juries, which we gave to the argument of the grand jurors. At that time we proved by figures that the imprisonments on Sundays did not originate in an actual increase of immoral actions, but from the fact that the Metropolitan Police law created a new kind of unlawful deeds.

[Were not the "unlawful deeds" the same in '57 as in '58—the periods when the returns were made?]

To show the character of the petition, we will cite the following passage: "And we say that our free institutions cannot exist with it, as their preservation and prosperity depend upon the public acknowledgment of the ten commandments, and the fundamental doctrines of the New Testament."

But there are two points of the circular which seem to us unintelligible above all others. First, how such a pious document can prove the material fact that the revenues of the city are defrauded through the existence of unlicensed tippling

houses—as if the price of lost souls could be any blessing to the city treasury! and secondly, how good Christians can make the being in favor with God of their fellow-men dependent upon prohibitory laws and the physical impossibility of indulging in vice, and thereby deprive public morals of their true merit, which is voluntary abstinence.

From THE JOURNAL OF COMMERCE, June 5.

GERMAN NOTIONS.—“Yankee Notions” are proverbial. There are German notions as well. Some of them are good; some are indifferent; and others are positively bad. When they assume a form of evil, they must be rebuked, as much for the advantage of those by whom they are fostered as for the public safety.

The ardent love of freedom which has ever characterized the Teutonic race commends them to American fellowship. The industry and frugality commonly existing amongst this class of people make them welcome accessions to our population. Under right influences, and especially when dispersed among our American population in reasonable numbers, so as to blend their stream of life with our own, they become our most valuable citizens, and deserve as they receive a high measure of regard.

But when congregated in masses, so as to retain the worst peculiarities and prejudices of their race—and these stimulated into intenser action by a skeptical press, by Red Republican orators smarting under the European reaction of '49, and by the drinking saloons and Sunday theatricals continually tempting them to beggary and ruin, they become quite another and an unsafe class—the more dangerous that they are secluded by difference of language from those moulding, elevating influences which act perpetually on an English-speaking population.

The Eastern portion of our city is rapidly becoming essentially German in character. The Eleventh and Seventeenth Wards, with some others, already contain more Germans than most of the cities of the fatherland. It is becoming more and more important that the *notions* prevailing among them should be understood, and their bearings on our customs and laws canvassed. We may find some lessons to be learned from them; they may need to be taught some important truths.

Our notions of Sunday are certainly at wide variance. With us it is a religious festival, sacred to rest and devotion. Ordinary business stands still. Ordinary pastimes are laid aside. We give one day in seven to physical repose and spiritual improvement; and our laws compel the employer to respect the universal right of the laboring classes to this boon of heaven. They go one step farther, and, still in the interest of the poor man, they forbid the Sunday publican from grasping the hard earnings of the week, and perverting the poor man's only rest-day into a curse to himself, to his family, and to the community. With Americo-Germans, Sunday is the time for material and sensuous enjoyment—for pic-nics; excursions by land and water; target-shooting; noisy music; dancing; theatrical amusements, all accompanied by the freest potations of Lager-bier, or something stronger, that the capacity of the stomach or the pocket will admit.

We will not pause to discuss the merits of these notions respectively. A single sentence from a German paper of last Saturday will show that we have stated the matter fairly. “We have summer gardens and summer theatres,” says the *Demokrat*; “but not enough by far. Steamboats and railroads must yet carry thousands into the open air on Sunday; music and dancing must sound under green trees; and wheresoever we turn, everywhere, we must have pleasure and life and joy; and then, ye lord Water-simples, [Memorialists] you may stick your noses into the rum-pot-houses, which make your pious hearts tremble so much, and you will find them empty; but not before.”

We are not certain that the means of “emptying the rum-pot-houses” would not fill others as full; though they might be dispersed in the suburbs, and afford our neighbors along the Hudson and on the Bay a taste of one of our O-be-joyful city Sundays under German auspices. One thing we *know*, that of all the impure, ill-ventilated, health-destroying places in any land, a crowded lager-bier theatre in the Bowery or on Fourth street on a Sunday night, is the very climax. So that the pretext of escaping from “the prattling of a black-gown or a pious prayer-book,” to “find recreation,” is as bald a folly as to rush from Broadway to Cherry street in search of a clean street.

But, the merits of these notions apart, which is to prevail? Which, with its historical antecedents, ought to prevail? Certain it is that a century or two of experiment with our American Sunday has not weakened the attachment of our people to whatever is essential to its beneficent provisions. As to its physical, mental, moral, social influence, we have not discovered any radical cause for distrusting or discarding it. Our national life has thriven sufficiently to have attracted millions of people from the lands where "the pleasure, life and joy" of a weekly holiday have been had to the full. Nor are we aware that the people remaining in those lands find the pathway to freedom through "music and dancing sounding under green trees" particularly safe or certain, however full of "pleasure." We have some recollection of a passage in Hallam which alludes to the policy of Continental Despots to "encourage a love of pastime and recreation in the people; both because it keeps them from speculating in religious and political matters, and because it renders them more cheerful and less sensible to the evils of their condition." On the whole, then, it would seem that, under a free government, it is as safe, to say the least, to hold to the anchorage at which the only free nations in the world have ridden safely, and not yet to put to sea with lager for our cargo, Sunday for our sailing day, and perdition for our port.

From THE JOURNAL OF COMMERCE, June 11.

MORE GERMAN NOTIONS.—Our German contemporaries presume too far on the ignorance of the English tongue among Germans, and of the German tongue among Americans. The necessities of the press compel a *polyglott* staff in connection with our leading journals, and the necessities of business constrain thousands of our German fellow citizens to speak and read the English language. This is well, for otherwise the isolation of a large element of our population, and their subjection to the prejudices of journals little in sympathy with the interests and institutions of the country of their adoption, might be productive of great mischief to us and to them. The true interests of native and foreign-born are identical. There is abundant room for all. Our institutions are elastic enough and good enough to protect the rights and promote the well-being of all. They are the common enemies of all who seek to foment jealousies and prejudices fatal to mutual good understanding and confidence. We have more than once had occasion to rebuke native prejudices; now it seems necessary to remonstrate against like tendencies among the Germans.

The *Demokrat* and the *Staats Zeitung* seem determined not to understand the design of the memorialists on the Sunday liquor traffic, and continue to misrepresent the whole matter. With them "Temperance" is an abomination, and Sunday restraints are the offspring of superstition. Both, in their view, are bound up in this "croaking of bull-frogs," and hence they counsel opposition and resistance. With exclusively German readers, this dodge may be successful. But, just so far as the fact becomes known that the signers of that memorial, with scarcely an exception, are gentlemen as far from ultra-temperance affinities as they are from other ultraisms—that not one of them, so far as is known, entertains extreme views on the Sunday question—that they are men of all parties and creeds, intelligently alarmed as to the growth of pauperism, crime, and consequent taxation and misery, connected with Sunday tipping—the representations of these German papers must react, and all but the German keepers of Sunday theatres and saloons, and their unhappy victims, will come to repudiate the mistaken leadership that would commit them to the support of lawlessness and immorality. It ought to be a significant fact for the editors of these papers, that not one of our dozen daily journals printed in the English language has ventured to question the reasonable request of the memorial that the existing laws be published and enforced. Not even the *Herald*, cited by the *Demokrat* as "vigorously defending the right born with us," has disputed this ground. Whatever may be the delinquencies of our journalism, no paper and no party will hazard its reputation by an open commitment on the side of rebellion and crime—and there is no other side to take, as against the petition respecting Sunday liquor selling.

But our neighbor of the *Demokrat* thinks he caught us napping when we remarked last week that "a century or two of experiment with our American Sunday has not weakened the attachment of our people to whatever is essential to its beneficent provisions." As a specimen of the logic and taste of Americo-German journalism, we quote :

“How the editor can reconcile the Blue Laws, which make cooking, promenading, and kissing of wife and children on Sunday, a sin, and which 200 years ago were considered essential for sustaining the sanctity of the Sabbath, with the running of trains on the Railroads, even in Boston and Brooklyn, is a riddle to us. The Sunday laws of Cotton Mather & Co. have lost so much of their terror in the course of two centuries, that an illustrated copy of them might be profitably exhibited by Barnum for the amusement of the public. What is left of them will fall to the ground in America as soon as reason shall escape from the prison of faith.”

The English of this sentiment we suppose to be, that when Atheism shall have supplanted the popular belief in the existence and supremacy of the Divine Being, and blind “reason” shall have superseded Revelation, lager-beerdom will have its own way, without human or divine laws to restrain the greed of its agents, or to protect the rights of its victims. We will not controvert that sentiment; we only ask “When will the long expected day begin?” And as to the historical question, a brief word, not for our readers, but for the editor of the *Demokrat*, and if he pleases for his readers. Strict as were the Puritan notions of the Sabbath—made so by a natural recoil from the latitudinarian views of the country they had left—the stereotyped caricature of them in the “Blue Laws” [which never existed, save in the imagination of wicked men,] ought not to find a place in a journal of our day, claiming common intelligence. It is very lame and vulgar wit that resorts to such devices, and much worse argument.

But, even if there had been provincial follies of legislation as to the Sabbath, they did not effect “whatever is essential to its beneficent provisions.” The history of American legislation furnishes a consistent record here. The earliest and the latest laws of all our States—with one or two exceptions, where the French and Spanish element predominated—have recognized the necessity of a weekly day of rest for man and beast. They have made the first day of the week a *dies non* as to all ordinary labor and moneyed contracts. They have sought to secure a breathing time for the sons of toil, white or black, bond or free. They have said to capital, “you shall not compel seven days’ work, but you shall pay enough for the six working days, to enable the laborer to have the seventh as a day of rest.” And then they have said to rumsellers and lager-venders, “You shall not have a monopoly of trade, and practise your arts of temptation on the only day of rest the working man has; you shall not empty his week’s earnings into your till, instead of the hungry mouths of his family.” These things the laws have always been saying, with increasing emphasis; and are we now to be told that such laws are and always have been *unconstitutional*? Who says that? The toiling masses for whose benefit they were enacted? Or the men whose selfishness would rob the poor man of his rest and his money too?

These “essentially beneficent provisions” of our Sunday laws were never more popular in this country than now, in spite of the tide of immigration, and notwithstanding the mistakes both of Sunday reformers and Sunday haters. It is only when extreme claims are made, or are supposed to be made, as to coercive Sunday observance, that our people revolt. But our laws make no such claims. They do not touch the question of *religious* obligation and observance; that is left, as it should be, to the individual conscience. They do protect the rights of those who wish to “remember the Sabbath day to keep it holy,” and they forbid the interruption of public worship. But a man may drink himself drunk, or make a fool or a beast of himself in any other way on Sunday, if he will, and the laws do not forbid him; but they do forbid his disturbing the public peace, or interfering with the rights of his fellow men.

These statutes and the sentiments they embody, form as essential a part of our national life as the representative system, or the trial by jury; nay, they are more characteristic and fundamental, for they affect our moral as well as political foundations. Duponceau, the venerable helper from France in our Revolutionary struggle, after a long residence here, went so far as to say, “that of all we claimed as characteristic, our observance of the Sabbath is the only one truly national and American, and for this cause, if for no other, he trusted it would never lose its hold on our affections and patriotism.” It never will. And if our counsel were of any avail among our German and other immigrant classes, it would be that they content themselves with the full and equal measure of freedom, civil and religious, under which this nation has prospered as no other on the globe can hope to do; and that

they forego those preferences and practices of the old world which have necessitated governments of force there, as they may here, if self-assertion, lawlessness and irreligion invade our wise and happy government of law.

VI.—Public Drinking Fountains.

From THE EXPRESS, May 21.

CROTON FOUNTAINS FOR THE PEOPLE.—The people are earnestly waiting for the next step towards the establishment of Croton Fountains by which pure water shall be as free as air to all. We hope that Alderman Peck and Councilman Ottarson, who took the initiative in bringing the matter before the Common Council, will not rest until the fountains have become an established fact, pouring out their crystal waters, so that every one that thirsteth may "Come and drink, without money and without price." The credit of the suggestion has been claimed by one of our morning contemporaries; but it belongs in fact to the Sabbath Committee, who, in their last tract on "the Sunday Liquor Traffic," published some months ago, used the following language:

"The establishment of public fountains, to which thirsty men may resort, would be a measure of great practical utility, at comparatively trifling cost. They need not be of marble or bronze, elaborately wrought, as in most European cities; the simplest arrangement by which the health-giving Croton could be easily reached by the poorest laboring man, would suffice. Formerly the street pump partially supplied this want; but now the artisan or laborer who would slake his thirst, can find almost no public place in the city to which he can resort with a feeling of right to a cup of cold water; and he is driven to a dram-shop, where a false notion of self-respect impels him to drink that which costs him something—and it often does cost him more than he had counted upon. As a preventive of drunkenness, and a means of removing temptation to evil haunts and habits, it is believed that this expedient would be found worthy of trial, to say nothing of its sanitary and humane aspects, which are far from inconsiderable."

Now that this sensible and humane proposition bids fair to assume a practical form, the gentlemen of the Sabbath Committee, individually and collectively, should bring their powerful influence to bear, for its success, on the Common Council. An active demonstration from that Committee, just now, might hasten the laggard action of the Circumlocution Office. Let there be no shuffling about the question. It is not one of a difficult nature, and should be decided at once. If we are to have the fountains, no time should be lost in putting them into operation; if we are not to have them, the people ought to know it, and know, also, who it is that denies the right of drawing pure water.

From THE HERALD, May 31.

GIVE DRINK TO THE THIRSTY.—We perceive that our suggestions about establishing public drinking fountains throughout the city have been taken up and advocated in different quarters, and that the President of the Croton Board sent a communication to the Common Council last evening on the subject. We are constantly receiving communications approving the idea. Even the religious newspapers are coming out in favor of hydrants or public fountains. We hope they will advocate our proposition, that a hydrant and drinking cup should be placed in the vicinity of all the churches, so that the spires and turrets thereof might serve as indices to the thirsty wayfarer, pointing to the spot where he can be nourished from the fountain of pure Croton, as well as the fountain of spiritual grace. This plan is being now carried out in London, and it strikes us as an excellent one. There is not a city in the world with so large a population as ours so wholly unprovided with the means

of enjoying a simple drink of water, notwithstanding that an ever-flowing stream of it, pure and cold, gurgles beneath our feet in every highway. But it flows unseen and untasted by the traveller who broils in the sun through our hot, dusty streets.

Independent of the value of public fountains to physical comfort and good health, as elements in the moral improvement of the masses, they should be encouraged by the clergy, by temperance reformers, philanthropists generally, and by the clergy especially; for they should remember what their Master promised to those who give a cup of water even to the least one.

It may be that for every fountain you open you will close a grogshop; and this is a consideration worth entertaining. The cost would be very trifling, and would be amply compensated by the good which would accrue from the establishment of such conveniences. Let us persevere, then, until we compel the authorities to give us public fountains such as other cities possess.

From THE TIMES, May 18.

PUBLIC DRINKING FOUNTAINS.—We have already expressed a cordial approval of the proposition before the Common Council for the establishment of five hundred Croton Fountains. As a public necessity, there should be no hesitation or delay in building them. Nearly six months ago, in a condensed notice of a document on the "Sunday Liquor Traffic," this measure was suggested as one of the preventives of drunkenness; and, on turning to that document again, we find that the sagacious gentlemen of the "Sabbath Committee" have presented the argument for this improvement in a nut-shell.

From THE TIMES, June 2.

"**DRINK AND AWAY.**"—One of the most beautiful fountains in Barbary, on account of its frequent use and the lurking of assassins in its neighborhood, is called *Shrub we Krub*—Drink and away. In our highly-civilized city we have no *such* lurking-place for robbers. No Croton fountain tempts to drink or danger here. Superior refinement has compelled the thirsty to resort to the dram-shop, where fuel may be added to the flame, but where nature's provision for quenching thirst can only be made available by quenching manly self-respect too.

What shall the wayfarer in our streets do of a Sunday when even this *dernier resort* is lost, as it seems likely to be if the Police Commissioners do their duty, and shut up the illegal places of Sunday traffic? Croton drinking fountains, and a plenty of them, would seem to be the necessary complement of the suppression of Sunday dramming. And when the fountains of dissipation and crime are stayed, and gush-waters, which cheer but not inebriate, take their place in our streets, we may reverse the Barbary fountain motto, so that it shall be: *Krub we Shrub*—AWAY AND DRINK.

AN EXPERIMENT OF 50 DRINKING FOUNTAINS.

From THE TIMES, June 25.

The report of the Special Committee in favor of directing the Croton Board to erect *fifty drinking hydrants* in different parts of the city, was adopted last evening; Councilman Bulteel ["Oyster Saloon"] alone voting in the negative.

From the same, July 7.

DRINKING HYDRANTS.—The Board of Aldermen concurred with the Board of Councilmen in adopting the report of the Special Committee in favor of erecting *fifty hydrants* in various parts of the city.

A German's Appeal to the Germans

ON

THE SUNDAY QUESTION.

[An important Document of 24 pages, 8vo., has been issued by the New York Sabbath Committee, in the *German* language. It contains the "Memorial as to the Sunday Liquor Traffic," with the official data forming its basis; a Digest of the Sunday Liquor Laws; a translation of the Editorial articles in the leading New York Dailies—the *Journal of Commerce*, June 5th and 11th, *Express*, May 21, *The Times*, June 1, *Commercial and Enquirer*, May 31, etc., (see "Memorial Memoranda" pages- 16-30:) and the Editorials of the *Staats Zeitung* and the *Demokrat* in opposition to the Memorial. As introductory to this matter, a kind and able discussion of the Sunday question, by a German writer of unusual power, is published, which may be hoped to dispel many prejudices and to conciliate the better disposed among our German fellow citizens toward American and Biblical views of the claims and uses of the Christian Sabbath. A translation of this appeal is here given, partly because of its intrinsic interest, and for the sake of informing those who do not read the German, of the mode adopted by the committee in dealing with an important class of our foreign born population. It is intended to give the widest possible circulation to this document among the Germans in this city and country, and in the father-land.]

The aim of the Memorial—signed by more than 400 Germans and 600 Americans, and presented to the Police Commissioners May 28—having been frequently misinterpreted, it seems desirable, on its republication, briefly to explain its design.

The Memorial does not aim at making men pious by compulsory measures. The Memorialists know quite well that such a kind of piety would be displeasing to God, and that all endeavors of the sort are even more repugnant to the spirit of Christianity than to the spirit of the age.

Nor does the Memorial intend to compel men to do this or that on Sunday. Whether one prefers to stay at home, or to go into the free air; to spend the day in solitude or at church, in conversation or in reading, is to be left with him, so far as civil laws are concerned.

Nor is it the intent of the Memorial to coërcé the Germans to renounce their national sentiments and customs. The fact that several hundred Germans have

signed it—and many more signatures might have been obtained had more time been used—is sufficient guarantee of this.

Nor does the Memorial propose new legislation. It only aims at the enforcement of existing laws. To have a law remain a dead letter is in itself wrong and injurious, especially in a free land, where the laws are made by the people, and should therefore be obeyed by the people—the minority submitting to the majority.

The Memorial opposes the existence of monopolies and privileged classes of society. It goes for equal rights. In order that factory-laborers, clerks, apprentices, etc. may have a day of rest, the factory-owners, merchants, employers, etc. must be compelled—if this be compulsion to them—to close their factories, stores and shops on Sunday. If ten merchants out of a hundred were to keep open their stores on Sunday, one and another by the power of competition would be tempted to open their stores too. Therefore to secure a day of rest to the ninety, all Sunday traffic must be prohibited to the ten. Partial restrictions imposed on the rights of some men, in order to increase and guarantee the rights of all men, is a sound democratic principle. But how does it agree with this principle to have stores closed on Sunday, while liquor shops remain open? No cloth, coffee or tea must be sold, but you may sell as much whiskey, beer and wine as you please! The honest merchant may not make money on that day, but the rum-seller may! Is this right? Certainly not. In a free country, under a constitutional government, all men must be treated alike.

And what special claim have intoxicating liquors to be exempted from the prohibition of sales on Sunday? Do they promote domestic happiness, increase virtue, engender philanthropy, nourish patriotism? We have seen no proofs of it. But it is plain enough that many a father on Sunday converts the money which should buy bread for his children during the week into liquor; that many a son then consumes the means of supporting his parents, and many a husband returns home on Sunday night drunken, abusing his wife, or at least unfitted for his work and for a proper treatment of his family. As for the influence of intoxicating liquors on patriotism and love of freedom, we will only mention that Frederic Hecker, when he returned to this country in 1849, after the failure of the revolutionary movements in Germany, publicly ascribed that failure to the fact that the Germans had rather talked and *boasted of their prospective freedom over the beer-glass* than labored and acted for it.

Still, "Drinking on Sunday is a *German* custom, so we won't have it taken from us!" is the cry. It is a German vice [mis-custom] we answer. Boxing and horse-racing are *English* vices; carnival with its follies is an *Italian* vice; bull-baiting is a *Spanish* vice: but what sensible Englishman, Italian or Spaniard would undertake publicly to stand up for these vices, to which a *portion* of his countrymen is addicted? Still less would he dare to undertake the introduction of them into another country. The same rule applies to German Sunday amusements, to which in many [*not in all*] places in Germany a large proportion of the inhabitants are given; but *under constant protest of our best men, and constant attempts at restraint by laws*—the latter being found rather in the partially free States of Germany than in the others.

The opponents of the Memorial are talking and behaving as though Sabbath

legislation proceeded only from "Puritanism." But we need only to appeal to the better knowledge of the well-informed among them. We ask, for instance, of the editor of the *Staats Zeitung*, Do you not know well enough, from German history, that at different times, and in different parts of Germany, stringent laws against drinking and dancing on Sunday have been enacted: not by the more despotic princes, but rather by those who really cared for the welfare of their people? True, in modern times, Sabbath legislation in Germany has become more lax, but this has been owing to the influx of infidelity, which, coming from France, overthrew both the former observance of the Sabbath, and the ancient honesty and fidelity of the German nation.

But, supposing Sabbath laws to be something specifically American, even then there would be just cause to ask: Is it well for the Germans of this country to oppose an institution which has existed here from the first beginning of European settlements on this continent, and has since then taken such deep root in the whole social and political life of this nation? Would this not be an abuse of the hospitable welcome and reception which this country extended to us? Would it not provoke the ill-will and suspicion of the English-speaking, native-born citizens? On questions respecting which *one party of Americans* stands against the other, we may decide for either of them; but in a question concerning which *nearly the whole American people stand together as one man*, to oppose them *as a German party*, will certainly not prove the means of promoting kind relations between foreign and native-born citizens. It would, to say the least, be quite hazardous to undertake such a thing, and to be justified in the undertaking, we should be manifestly in the right. But such is not the case, neither in a political nor in a moral point of view, as we will now show.

CIVIL ASPECTS OF THE QUESTION.

In the days of the first Dutch colony of "New Amsterdam," as early as 1647-8, Peter Stuyvesant, Director-General, issued proclamations and decrees against the invasion of "the Lord's Day of rest." One of the earliest acts of the "General Assembly of the [English] colony of New York," in 1695, was one entitled, "An Act against the Prophanation of the Lord's Day, called Sunday." In 1813 the Legislature of this State passed laws protecting the Sabbath, based on the colonial act of 1695; and they remain in the Revised Statutes. The Metropolitan Police Act prohibits the sale of any intoxicating liquors on Sunday, under a penalty of \$50. These are State laws. During forty years, from 1797 to 1834, concurrent *municipal* ordinances were enacted, of a stringent character. They were revised and reenacted in 1803, '5, '7, '12, '17, '21, '23, and '27.

It is clear, from the above, that the fifth section of the Metropolitan Police Act, which is so much hated by our opponents, contains nothing new, but only old regulations. That these regulations are supported by the public opinion and general custom of the American people, shall be proved by two facts. One is, that the Constitution of the United States demands that the President shall be inaugurated on the 4th of March; but it is understood that when the 4th of March falls upon Sunday, the inauguration takes place on the 5th of March. The other fact is, that our great national holiday, the anniversary of the Declaration of Independence, in case July 4th falls on Sunday, is kept on the 5th. Thus, both the law and the custom of our country treat Sunday as a day set apart for

religious purposes, but not as a day for national or other festivals and pleasures. We adopted citizens ought, therefore, even if Sunday pleasures were not morally wrong, to avoid them, because they are, in this country, unlawful, and from considerations due to our fellow-citizens.

MORAL ASPECTS OF THE QUESTION.

We will now inquire, from a moral stand point, whether Sunday pleasures are right and allowable. And we would first ask our opponents, Can you deny that Christianity has favored civilization wherever it has penetrated? Can you name any civilized nation which is not a Christian nation? And we ask further, Is not the Bible read—which is the foundation of Christianity—in all countries in which a free government exists and prospers? Or can you name countries which are free without the Bible? From all we know, notwithstanding all the deficiencies found among us, things are “golden” among us compared to our neighboring sister republic Mexico, with her endless civil wars and anarchy. What is the cause of this great difference? The people of the United States have the Bible—the people of Mexico have it not. If we look at Europe, we see England, Scotland, the Netherlands, Switzerland, Prussia, and Norway, comparatively free and prosperous; but Russia, Austria, and Spain, are oppressed and unhappy. And why? In the first named countries the Bible is read, while in the last named it is not.

Law and morals must always go hand in hand. The best laws are of no use where the morals are bad. But how can men agree on morals if the Ten Commandments are not taken as their foundation? Were we to take our morals from Lycurgus and Solon, from Numa and Cicero, from Confucius and Mohammed, or from Voltaire and Rousseau, from Fichte and Hegel,—into what confusion should we get. No agreement can be expected. But the Ten Commandments are so generally acknowledged,—are considered pure, true, and obligatory, by so great a majority,—that we have in them a firm centre of agreement. Now, one of the Ten Commandments says: “Remember the Sabbath day to keep it holy. Six days thou shalt labor, and do all thy work, but the seventh is the Sabbath of the Lord thy God: in it thou shalt do no work,” &c. If we lay aside this one commandment, all the others go with it; and where are we then?

Again: Where but in the moral law of Christ and his apostles do we find so beautiful and clear an exposition of the spirit and sense in which we are to fulfil our moral duties? “As ye would that men should do to you, do ye also to them, likewise.” “Be not overcome of evil, but overcome evil with good.” “Avenge not yourselves.” “Give to every one his due.” If such sayings are no longer publicly acknowledged, what is to become of the world? If Christianity, with its command of love to the neighbor, is set aside in any land, a total disorganization of all relations, a civil war, must follow. The first French Revolution, with its Reign of Terror, furnishes an example. Men are bad enough with their belief in the Bible; if they are deprived of this belief they become totally bad. This is the dry but fitting saying of Franklin, with which he answered Tom Paine when he sent him his “Age of Reason.”

Without Christianity, we repeat it, no popular freedom can consist. Now, Christianity, although it is something spiritual, by several forms and regulations

peculiar to itself, is interwoven with civil life. Among these regulations the Christian Sabbath, the day of the Lord, the day on which Christ, the founder of the Christian religion, rose from the dead and from the grave, stands foremost. What did the ancient Romans and Greeks, what do the Hindoos and Chinese know of a Sunday? They know nothing of it. And we, too, should know nothing of it had not Christianity come to us from our fathers, and with it the news of the resurrection of Christ through its weekly returning memorial day. The Sunday is therefore a Christian Institution, and it is hence a moral wrong to employ this Institution contrary to its spirit, for strange and unchristian objects. Suppose a company of trifling boys were to make one of their number pronounce the words of the Institution of the Lord's Supper at one of their carousals, and then take a drink and say, "We have now celebrated the Lord's Supper," would not the feeling of every upright man, no matter what his religious views are, be outraged? Would we not say to them, "Carouse, if you are determined to carouse, but let the Christian celebration of the Lord's Supper alone!" And as the Lord's Supper is the memorial of the Sacrificial death of Christ, and is to be celebrated as such only, or not at all, as every sensible man allows; so Sunday is the memorial day of the resurrection of Jesus Christ, and is to be celebrated by all in a serious and quiet manner, although by each one according to his own particular religious conviction. Whoever desires pleasure and amusement may select any one of the other six days, but let him celebrate the Sunday in a Christian manner, for the object for which it is instituted.

American history shows plainly that the founders of the first European Colony in this country came for the sole purpose of worshipping GOD according to the dictates of their conscience. Their numerous descendants, therefore, will not permit themselves to be deprived of this great privilege, neither by fanatical persecutors nor by infidel traitors. Among us Germans, also, many have come here because they knew that here religion and the worship of GOD are not only tolerated by the State, but publicly acknowledged and legally protected. There are also those among us who formerly did not value this, but since their sojourn in this country have learnt to value it. Both these classes of Germans are unwilling to forego the right of a free, public and undisturbed worship of GOD. It is in their own interest, in that of their children, in that of their German countrymen, and in the interest of the whole people, that they unite with their fellow-citizens in removing the desecration of the Sabbath and the disturbance of the worship of GOD by public amusements. Our opponents may well look at what they are doing. Should they succeed in defeating our object, it would, in our opinion, be the greatest injury to themselves. But whoever is not of this opinion, let him at least consider and understand that the right is on the side of those who desire a quiet Sabbath, on which business as well as amusement is to be at rest; and that the laws of our land are not made for promoting infidelity and dissipation, already sufficiently rank everywhere, but for promoting morality and religion.

IMPORTANT RESOLUTIONS OF THE POLICE COMMISSIONERS.

At the regular meeting of the Police Board, July 8, Mr. Stillman presiding, and all the members of the Board present, Judge Ulshoeffler, on behalf of the

Committee on Laws and Ordinances, submitted the following report, which was unanimously adopted :

“ The Committee on Laws and Ordinances having considered the petitions for, and remonstrances against, the enforcement of the existing laws relative to the observance of Sunday, respectfully offer the following resolutions :

1. This Board is bound by its organization to enforce the laws as they exist ; it being a well-settled principle that the administrative departments cannot excuse enforcing a law, on the ground of doubts as to its conflicting with the spirit of the Constitution.

2. The Christian religion is that which has always existed since the settlement of the country, and now exists in these United States ; recognized and professed by the masses of the people of various religious denominations, and nearly all of which regard the Christian Sabbath as part of their religion.

3. That the highest judicial authorities regard the Christian religion as the prevailing religion of the country, and that the protection of the rights of all other religions must still leave the principles, practices, and laws of the whole Christian community paramount, and in full force.

4. That the true principles of religious liberty do not allow the smallest portions of the community to call upon the great masses of the people to abandon the enforcement of those Sunday laws, which have existed since the settlement of the country.

5. That present abuses in disregarding the Sunday laws, particularly in public exhibitions on Sundays, and trafficking in liquors and other like things, should, as far as the law allows, be prevented by the whole power of the police force and of the magistracy.

6. That the laws of the land, in conformity with the opinion of the masses of the people, in regard to moral principles and practices, and for the punishment of transgressors *any day of the week*, are not to be disregarded or repealed, because of peculiar notions of morals entertained by small portions of the community.”

THE “REMONSTRANCE” AND “COUNTER-MEMORIAL.”

From the JOURNAL OF COMMERCE, July 9.

ATTEMPT TO “SELL” THE POLICE BOARD.—A great parade was made last week by the Sunday Liquor party, who bored the Police Commissioners an hour or so with their “ Remonstrance ” and “ Counter-Memorial,” ostensibly “ signed by about five hundred citizens,”—a German copy being „ signed by nearly a thousand citizens of German birth.” In both cases the remonstrants claim to be “ voters.” The special object of the demonstration was to prevent the police authorities from closing the Sunday dram shops.

Unfortunately for the credit of the Remonstrance, the signers appended their places of abode in common with their names—making it an easy matter to classify the list, and to expose its bogus character. This being carefully done, the following results are reached :

Number of names claimed for the Sunday Remonstrance in English.....	500
Actual number.....	446
Error.....	54
Number of names claimed for the Sunday Remonstrance in German.....	1,000
Actual number.....	742
Error.....	258

Classification of the 446 Remonstrants—ENGLISH.

Non-Residents.....	118
Liquor-Dealers, Segar-Sellers, Sunday Newspaper Editors, and other interested parties.....	38
Not to be found in the Directory.....	241
" Clerks," " Shoes," " Physicians," &c.....	49
Total	446

Classification of the first 500 Remonstrants—GERMAN.

Non-Residents.....	104
Lager and Liquor Dealers	36
Not to be found in the Directory.....	180
All others.....	180
Total examined.....	500

Thus it appears that an abatement of *more than three-fourths* must be made from this list of about a thousand names, to bring it within the range of decency or propriety, as a matter of official consideration. What consideration should be given to the remaining fourth might be determined by continuing the investigation.

From the TRIBUNE, July 4.

We have elsewhere noticed the fact that the Rev. J. L. Hatch, and a number of other gentlemen equally gifted with himself, yesterday waited on the Police Commissioners and delivered a long and elaborate address, beseeching the Commissioners not to enforce the Sunday laws, and especially the law against the sale of liquor on Sunday. To say the Rev. J. L. Hatch and his associates are all fools, is more than we dare do; but they certainly talked like egregious fools yesterday. The Police Commissioners have no choice between enforcing the law and not enforcing it. They are not legislators, but simply executive officers. Whether the laws are good or bad, is not a question for their consideration. Their duty is simply to have them observed and obeyed; and all the rest belongs to the Legislature and the Courts.

It is not an argument to say that certain laws have not been regarded hitherto, and that the Police ought therefore to connive at the breaking of them henceforth forever. Indeed, it seems to us rather an insult to the Commissioners than otherwise; and Mr. Hatch and his fellow-laborers in the cause of free liquor on Sundays might without impropriety have been kicked out of doors accordingly.

A SABBATH AGAIN.*From THE EXPRESS, July 4.*

It is estimated that for the last three Sundays or so only about one-tenth of the liquor-dealers have kept open—something very remarkable for this city. Of these violators of the law, the majority have only kept private entrances open for the accommodation of their customers. Taken together, these few Sundays past have been the most orderly known in New York for a very long time indeed.

From THE HERALD, July 4.

Of the upper wards of the city, commencing with the Fifteenth, about the same reports are to be made as in the precincts above. Each Sunday since the giving out of the police order has shown marked improvement. Citizens have enjoyed more quiet Sabbaths, and the police magistrates have had but little to do. At the Tombs yesterday, where the commitments on Sunday for drunkenness are usually sixty and seventy, but five were committed for being drunk. At the other police courts the falling off in the number of Sunday commitments for the same offence was about in the same proportion.

From THE TIMES, July 11.

THE OBSERVANCE OF THE SABBATH LAWS.—Since the Police Commissioners adopted resolutions, on Friday, which admitted their power and intimated their intention of enforcing the Sunday laws, naturally enough an impression became general that decisive and peremptory orders would be issued to the Police henceforth to assert the law's supremacy. And this opinion prevailed to such an extent even, that the hitherto obstreperous saloon-keepers, who, in spite of repeated notifications, have

insisted in selling on the Sabbath in defiance of law, became generally alarmed at the anticipated demonstration, and many voluntarily closed their places yesterday, believing that otherwise they would be forced to close. Contrary to general anticipation, however, no new orders were issued. Throughout the city, even in those portions where hitherto liquor has flowed freely, scarcely a drop could be had for "love or money," and when it was obtained it was only dispensed to those in whom the vendor felt he could place confidence. *The effect of the closed stores, of course, was another quiet Sabbath, which, contrasted with those of four weeks ago, at once shows the good result of even the partial attempt of stopping the sale of liquor.* Nowhere was the effect more marked than at the various Police Courts, where heretofore the Sunday committals for drunkenness have numbered as high as from 20 to 30 in each court, while yesterday they scarcely exceeded a dozen throughout the city. General-Superintendent PILSBURY, accompanied by Deputy CARPENTER, visited a large portion of the city, including Yorkville, Harlem and Bloomingdale, yesterday, in a carriage, to notice how the Sunday laws were observed; and it is understood he will familiarize himself with what is done, and how far the laws are transgressed, before he takes any effective action.

From THE HERALD, July 10.

* * * "In the Sixth Ward only two men were arrested for drunkenness, a fact unparalleled since to this Ward was applied the prefix "bloody." In the Seventh, Eighth, Ninth, Tenth, Eleventh, and Thirteenth Wards, but few places aside from the lager beer saloons were open. * * * A marked change over any previous Sunday was evident in the Seventeenth and Eighteenth Wards. Here scarcely a liquor shop was open, and where half a dozen fights are usually reported on Sunday not one occurred yesterday. In all the upper Wards of the City the observance was very general. The majority of the liquor stores were completely closed. But few arrests were made for drunkenness."

J. M. A circular has been issued by the managers of the "Liquor Dealers' Association" to more than four thousand members, advising them to close their shops on Sunday, without resistance.

J. M. The lager beer dealers and brewers met on Friday evening, July 8th, to denounce the Liquor Dealers' Association, with which they had "become disgusted, because they would only protect the 'rum-sellers,' and had no regard for the lager beer interest," and to form "an Association of Lager Beer Dealers."

J. M. The Excise Commissioners have requested the General Superintendent of Police to report to them all lager beer saloons at which spirituous liquors are sold. "An eminent physician of this city had informed Mr. Commissioner Holmes that he had recently attended a man in the upper part of the city, who had drunk nothing but lager beer, and was severely affected with *delirium tremens*. He said the man had it so badly that the physicians never before saw a man recover who was so severely affected. Mr. Holmes believed that lager beer was a spirituous liquor, and he was convinced that it was used as a mere cover for the selling other and more deleterious liquors without licenses."—*Com. and Eng.*, July 7.

J. M. Office of New York Sabbath Committee, No. 21 Bible House. *J. M.*
J. M. Treasurer's Office, (J. M. Morrison, Treasurer,) Manhattan Bank.

P e t i t i o n

wider den

Sonntagshandel mit berauschenden Getränken.

Nebst Beilagen.

1. Vorwort.
 2. Die Petition.
 3. Grundlage der Petition. Aussprüche der Grand-Jury.
 4. Gesetze und Verordnungen in Betreff des Sonntagshandels mit berauschenden Getränken.
 5. Auszüge aus den New-Yorker Zeitungen.
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Herausgegeben von der New-Yorker Sabbath-Committee.

V o r w o r t.

Die nachstehende Petition, von 400 Deutschen unterzeichnet, ward, nebst einer, eben dasselbe enthaltenden Petition in englischer Sprache, am 27. Mai d. J. der betreffenden obrigkeitlichen Behörde überreicht. Dieser Schritt hat, wie zum Voraus zu erwarten war, eine nicht geringe Bewegung hervorgerufen. Viel ist für und wider die Petition geredet und geschrieben, letzteres sowohl in englischen als in deutschen Zeitungen. Dabei sind denn so viele Mißdeutungen und unrichtige Auffassungen des Sinnes und Zweckes der Petition mit untergelaufen, daß es dienlich erscheint, bei gegenwärtigem Wiederabdruck derselben in Kürze darzulegen, was sie will und was sie nicht will. Wir beginnen mit Letzterm.

Die Petition geht nicht darauf aus, die Menschen von außen herein, durch Zwangsmaßregeln und aufgenöthigte Gewohnheiten fromm zu machen. Die sie verfaßt und unterzeichnet haben, wissen sehr wohl, daß Gott an erzwungener Frömmigkeit kein Wohlgefallen, sondern Mißfallen hat, und daß alle darauf abzielenden Bestrebungen dem Geiste des Christenthums noch viel mehr, als dem Geiste der Zeit, zuwider sind.

Insonderheit beabsichtigt die Petition nicht, die Leute zu nöthigen, daß sie am Sonntag dies oder jenes thun und vornehmen sollen. Ob Jemand daheim sitzen oder in's Freie hinausgehen, ob er in der Einsamkeit, oder in der Kirche, oder mit Gespräch und Unterhaltung den Sonntag zubringen will, muß Jedem selbst überlassen bleiben; dem bürgerlichen Gesetz liegen alle Bestimmungen hierüber fern.

Ebenso wenig will die Petition die Deutschen nöthigen, ihrer volksthümlichen Denkweise und Sitte zu entsagen. Mehrere hundert Deutsche haben sie unterzeichnet, und noch weit mehr Unterschriften wären zu erlangen gewesen, wenn man sich mehr Zeit genommen hätte. Schon hierin liegt Gewähr genug, daß kein Angriff gegen das Deutschthum hier stattfindet.

Nein, dies Alles wollen wir nicht. Wir gehn überhaupt nicht darauf aus, neue, bisher nicht dagewesene Gesetze und Einrichtungen einzuführen. Wir wollen bloß, daß die bereits vorhandnen und zu Recht bestehenden Gesetze in Ausführung gebracht werden. Wenn ein Gesetz ein ledter Buchstabe bleibt, so ist das schon an sich unrecht und schädlich, zumal in einem Freistaate, wo das Volk selbst durch seine Vertreter sich

seine Befehle giebt und daher auch schuldig ist, ihnen zu gehorchen. Ist aber ein Gesetz einer Minderheit des Volkes nicht genehm, so muß sie sich, wie allgemein zugestanden wird, der Mehrheit fügen.

Wir wollen ferner nicht, daß privilegirte Kasten oder bevorzugte Klassen in der Gesellschaft bestehn. Wir halten es mit dem Grundsatz: was dem Einen recht ist, das ist dem Andern billig. Das bürgerliche Gesetz darf und soll befehlen, daß am Sonntag der Fabrikherr seine Fabrik, der Kaufmann seinen Laden, der Handwerksmeister seine Werkstatt schließt. Geschieht dies nicht, so haben Fabrikarbeiter, Ladendiener, Handwerks-Gesellen und Lehrlinge keinen Sonntag, keinen Tag der Ruhe und Erholung mehr. Es muß daher um ihrer Freiheit willen Jenen ein Zwang — insofern es ein Zwang für sie wäre — auferlegt werden. Um ein andres Beispiel anzuführen: gesetzt, jeder Kaufmann dürfte, wenn er wollte, seinen Laden am Sonntag offen halten, und nun fänden sich unter hundert Kaufleuten zehn, die dies thäten, so würde, durch die Macht der Concurrenz, von den übrigen neunzig einer nach dem andern versucht werden, dem Beispiel der zehn zu folgen. Um daher den Neunzig einen Ruhetag zu sichern, muß den Zehn das Verkaufen am Sonntag verboten werden. Theilweise Beschränkung der Befugnisse Einiger, zum Zweck größerer Ausdehnung und Sicherung der Rechte Aller, ist ein ächt demokratisches Prinzip. Nun aber fragen wir: ist's recht, wenn Kaufleute am Sonntag den Laden schließen müssen, Wirthhe aber ihre Schenkstuben offen halten dürfen? Ist's recht, wenn am Sonntag kein Linnen und Tuch, kein Kaffee und Thee verkauft werden darf, aber Branntwein, Bier und Wein nach Belieben? wenn der Spezereihändler sich alsdann nicht bereichern darf, der Schnappshändler aber darf es? Ist das recht? Wahrlich nicht! In einem freien Lande, in einem Rechtsstaate muß der Eine gehalten werden wie der Andre.

Und was für einen besondern Anspruch hätten denn grade die berauschenden Getränke auf die Vergünstigung, von dem allgemeinen Verbote des Sonntagsverkaufs ausgenommen zu werden? Wird etwa durch sie Familienglück vermehrt, Tugend befördert, Menschenliebe erzeugt, Vaterlandsliebe genährt? Wir haben davon noch keine Proben gesehn. Dagegen liegt es am Tage, daß mancher Vater das Geld, welches seinen Kindern die Woche hindurch Brod geben sollte, am Sonntag vertrinkt und somit das Glück seiner Familie zu Grunde richtet; daß mancher Sohn die Unterstützung seiner alten Eltern, die doch eine der ersten menschlichen Pflichten ist, hierüber versäumt; daß mancher Gatte am Sonntag entweder gänzlich trunken heimkehrt und sein armes Weib mißhandelt, oder doch den Kopf so voll hat, daß er die nächsten Tage zur

Arbeit, wie zu liebevoller Behandlung der Seinigen, gleich ungeschickt ist. Und was den Einfluß des Trinkens auf Vaterlands- und Freiheitsliebe betrifft, so führen wir nur an, daß Friedrich Hecker, als er im Herbst 1849 nach Amerika zurückkehrte, eine Hauptursache des Mißlingens der deutschen Freiheitsbestrebungen in dem Umstande fand, daß die Deutschen zu viel hinter der Bierbank renommirt und zu wenig gethan, die Freiheit beim Glas hochleben lassen, aber nicht durch kräftige Thaten in's Leben geführt hätten.

„Aber eins trinken am Sonntag, ist einmal eine deutsche Sitte, die lassen wir uns nicht nehmen!“ ruft man uns entgegen. Eine deutsche Unsitte ist's! lautet unsre Antwort. Boxen, Hahnenkämpfe, Pferde tödtende Pferderennen sind englische Unsitten; der Carneval mit all' seinen Thorheiten ist eine italienische Unsitte. Welcher verständige Engländer und Italiener wird für diese Unsitten ein es Theils seiner Landsleute einstehen und vollends gar das Recht beanspruchen, sie in einem andern Lande öffentlich zu betreiben? — Eben dasselbe gilt von den deutschen Sonntagsbelustigungen, denen allerdings an vielen Orten Deutschlands — nicht an allen — ein großer Theil der Einwohner sich hingiebt, aber unter stetem Widerspruch der Besseren unsers Volks und unter steten Versuchen der Einschränkung durch Gesetze. Und letzte, das ist wohl zu beachten, findet sich mehr in denjenigen Ländern Deutschlands, wo eine theilweise freie Verfassung besteht, als in den andern.

Die Gegner der Petition reden und gebärden sich grade, als ob Gesetze zur Unterdrückung der Sonntagsarbeit und der Sonntagsvergünstigungen bloß derjenigen religiösen Geistesrichtung angehörten, die man Puritanismus nennt. Wir brauchen aber in dieser Hinsicht nur an das bessere Wissen der wohlunterrichteten unter unsern Gegnern zu appelliren. Wir fragen z. B. den Redakteur der „Staatszeitung“: wissen Sie nicht recht gut aus der Geschichte Deutschlands, daß zu verschiednen Zeiten und in verschiednen Ländern scharfe Gesetze gegen Trunk und Tanz erlassen worden sind, und zwar nicht von despotischen, sondern von solchen Fürsten, denen das Wohl ihrer Unterthanen am Herzen lag? Wenn in neuerer Zeit die Sonntagsgesetzgebung in Deutschland schlaffer geworden ist, so ist dies dem Einfluß des, von Frankreich her eingedrungenen Unglaubens und Sittenverderbens zuzuschreiben, wodurch zugleich die alte deutsche Sonntagsfeier und die alte deutsche Ehrlichkeit und Treue auf so beklagenswerthe Weise geschmälert ist.

Doch, angenommen auch, Sonntagsgesetze seien etwas vorzugsweise Amerikanisches, andern Ländern Fremdes, so wäre selbst dann alle

Ursach, zu fragen: ist es wohlgethan, wenn wir einer, seit dem ersten Entstehn europäischer Ansiedelungen hier eingebürgerten, tief eingewurzelt und mit dem ganzen amerikanischen Volks- und Staatsleben eng verwachsenen Einrichtung entgegentreten? Heißt das nicht die Gastfreundschaft, mit der dies Land uns willkommen hieß und aufnahm, mißbrauchen, den Unwillen, das Mißtrauen und die Abneigung unsrer englisch redenden, hier im Lande gebornen Mitbürger muthwillig herausfordern? In der Sklavenfrage und allen andern das Volk bewegenden Fragen, bei denen eine amerikanische Partei der andern gegenübersteht, mögen wir unbedenklich nach eigenem Ermessen unsre Partei wählen. Aber in einer Frage, bei der das ganze amerikanische Volk wie Ein Mann zusammensteht, demselben in der Eigenschaft einer deutschen Partei entgegentreten, ist sicherlich nicht das Mittel, ein freundliches Verhältniß zwischen eingebornen und eingewanderten Bürgern zu befördern.

Die Gegner der Petition behandeln die Gesetze, welche dieselbe in Ausübung gebracht wissen will, als etwas ganz Neues und Unerhörtes. Ein Blick auf die bisherige Sonntagsgesetzgebung unseres Staates und unsrer Stadt wird lehren, ob sie hiebei im Rechte sind.

Schon im Jahre 1647, als New-York noch Neu-Amsterdam hieß und eine holländische Kolonie war, erließ Peter Stuyvesant, damaliger Generaldirektor der Kolonie, eine Proklamation gegen die Beeinträchtigung des „Ruhetages des Herrn,“ worin unter Andern auch der Besuch der Schenken, wenn nicht gänzlich verboten, so doch sehr beschränkt wird. Im Jahr 1695 erließ die General-Assembly der, damals schon unter brittischer Oberhoheit stehenden Kolonie New-York ein Gesetz, worin alles Reisen, Arbeiten, Schießen, Spielen, Wettrennen, Jagen und Besuchen von Schenken am Tage des Herrn verboten wird. Im Jahr 1797 verordnete die Municipalität von New-York, am Tage des Herrn oder Sonntage solle kein Wirth in seinem Hause Gesellschaft aufnehmen oder bewirthen, noch Wein oder andres starkes Getränk verkaufen, außer an Reisende und Kostgänger. Diese Verordnung wurde in den Jahren 1803, 1805, 1807, 1812, 1817 und 1821 erneuert.

Hieraus erhellt, daß der, unsern Gegnern so verhasste fünfte Abschnitt der Metropolitan-Polizei-Akte durchaus nichts Neues enthält, sondern nur frühere Gesetzesbestimmungen wiederholt. Daß sich aber diese Bestimmungen auf die öffentliche Meinung und allgemeine Sitte des amerikanischen Volkes stützen, dafür wollen wir hier bloß zwei Thatfachen als Belege anführen. Die eine ist, daß die Constitution der Ver. Staaten auf's bestimmteste vorschreibt, der Präsident solle am 4. März

in sein Amt eingeführt werden; gleichwohl aber wird es als selbstverständlich angesehen, daß, wenn der 4. März auf einen Sonntag fällt, die Einführung erst am 5. März geschehn kann. Die andre Thatfache ist, daß unser großer Nationalfesttag, der Jahrestag der Unabhängigkeitserklärung, falls der 4. Juli auf einen Sonntag fällt, erst am 5. gefeiert wird. So behandelt sowohl das Gesetz als die Sitte unsres Landes den Sonntag als einen zu gottesdienstlichen Zwecken bestimmten, und nicht als einen für Nationalfeste oder sonstigen Festlichkeiten und Vergnügungen geeigneten Tag. Wir Adoptionsbürger sollten daher, selbst wenn Sonntagsvergnügungen kein moralisches Unrecht wären, sie doch deshalb meiden, weil sie nun einmal hier zu Lande etwas Ungesetzliches und in Betracht der Rücksichten, die wir unsern Mitbürgern schulden, etwas Unbilliges sind.

Wir wollen nun zuletzt noch untersuchen, ob Sonntagsvergnügungen vom moralischen Standpunkt aus recht und erlaubt sind. Da fragen wir denn zunächst unsere Gegner: könnt Ihr es in Abrede stellen, daß das Christenthum überall, wohin es gedrungen ist, die Civilisation befördert hat? Könt Ihr uns irgend ein civilisirtes Volk nennen, das nicht ein christliches Volk wäre? — Und wir fragen weiter: wird nicht in allen Ländern, in denen eine freie Verfassung besteht und gedeiht, die Bibel, welche die Grundlage des Christenthums ist, vom Volke gebraucht? Oder könnt Ihr Länder nennen, die frei sind ohne die Bibel? — Nach Allem, was uns bekannt, sieht es trotz des vielen Mangelhaften, das sich bei uns findet, doch golden unter uns aus im Vergleich gegen unsere Nachbar- und Schwester-„Republik“ Mexiko mit ihrer steten Anarchie und ihren endlosen Bürgerkriegen. Was ist die Ursache dieser großen Verschiedenheit? Das Volk der Ver. Staaten besitzt die Bibel, das Volk Mexiko's nicht. Blicken wir auf Europa, so sehen wir dort England, Schottland, die Niederlande, die Schweiz, Preußen, Norwegen &c. verhältnißmäßig frei und glücklich, hingegen Rußland, Oesterreich und Spanien gedrückt und unglücklich. Woher kommt dies? In den zuerst genannten Ländern wird die Bibel gelesen, in den letztgenannten nicht.

Gesetz und Sitte müssen eben allzeit Hand in Hand gehen. Die besten Gesetze helfen nichts, wo die Sitten schlecht sind. Wie aber können die Menschen sich über die Sittenlehre einigen, wenn nicht die zehn Gebote als Fundament derselben angenommen werden? Wollen wir von Lykurg und Solon, von Numa und Cicero, von Confucius und Muhammed, oder auch von Voltaire und Rousseau, von Fichte und Hegel unsre Sittenlehre entnehmen, in welche endlose Verwirrung gerathen wir? Keine Einigung ist dann zu erwarten. Die zehn Gebote hingegen genie-

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fen eine so allgemeine Anerkennung, werden von einer so ungeheuren Mehrheit als rein und wahr, als bündig und körnig, als bindend und verpflichtend betrachtet, daß wir darin einen festen Einigungspunkt besitzen. Nun aber lautet eins von den zehn Geboten: „Gedenke des Sabbathtages, daß du ihn heiligest! Sechs Tage sollst du arbeiten und alle deine Dinge beschicken. Aber am siebenten Tage ist der Sabbath des Herrn, deines Gottes, da sollst du kein Werk thun, 1c.“ Wird nun dies eine Gebot bei Seite gesetzt, so fallen alle andern mit. Und wo sind wir dann? —

Noch mehr. Wo finden wir eine so deutliche und schöne Erläuterung des Geistes und Sinnes, in welchem wir unsere sittlichen Pflichten erfüllen müssen, als in dem Sittengesetz Christi und seiner Apostel? „Alles, was ihr wollt, daß euch die Leute thun sollen, das thut ihr ihnen! — „Laß dich nicht das Böse überwinden, sondern überwinde das Böse mit Gutem!“ — „Rächet euch selber nicht!“ — „Gebet Jedermann, was ihr schuldig seid!“ — Wenn solche Aussprüche keine öffentliche Anerkennung mehr finden, was will's mit der Welt werden? Wenn das Christenthum mit seinem Gebot der Nächstenliebe in einem Lande beseitigt wird, so muß ja eine gänzliche Verwilderung und Auflösung aller Verhältnisse, ein Krieg Aller gegen Alle folgen. Die erste französische Revolution mit ihrer Schreckensherrschaft gibt ein Beispiel davon. „Die Menschen sind schlecht genug bei ihrem Glauben an die Bibel; nimmt man ihnen diesen Glauben, so werden sie vollends ganz schlecht werden!“ Das ist der trockene, aber treffende Ausspruch, womit Franklin die Zusendung von Paine's „Zeitalter der Vernunft“ beantwortete.

Ohne Christenthum, wir wiederholen es, kann kein Volkswohl bestehen. Nun tritt aber das Christenthum, obwohl es zunächst etwas Geistiges und Innerliches ist, durch mehrere ihm eigenthümliche Ordnungen und Formen auch in's äußere Leben. Unter diesen Ordnungen steht voran der christliche Sabbath, der Tag des Herrn, der Tag, an welchem Christus, der Stifter der christlichen Religion, aus Tod und Grab auferstand. Was wußten die alten Römer und Griechen, was wissen heutzutage die Hindu's und Chinesen von einem Sonntag? Nichts wissen sie davon. Und auch wir wüßten nichts davon, wäre nicht unsern Vätern das Christenthum zugekommen und mit ihm die Kunde von Christi Auferstehung und ihrem wöchentlich wiederkehrenden Gedächtnistage. Der Sonntag ist also eine christliche Institution, und daher ist's ein moralisches Unrecht, diese Stiftung, dem Sinne des Stifters zuwider, zu ganz andertartigen, unchristlichen Zwecken anzuwenden. Gesezt, eine Gesellschaft leichtsinniger Buben würde inmitten einer wüßten Schwelgerei einen aus ihrer Mitte die Einsetzungsworte des

Abendmahls sprechen lassen und dann einen Trunk thun und sagen: jetzt haben wir das Abendmahl gefeiert — würde nicht ein jeder redliche Mensch, gleichviel von welchen Religionsansichten, darüber entrüstet werden? Würde man ihnen nicht zurufen: schwelgt immerhin, wenn ihr rinmal schwelgen wollt, aber laßt das christliche Abendmahl stehn, wo es steht! Wie aber das Abendmahl das Gedächtnißmahl des Opfertodes Christi ist, und entweder gar nicht, oder nur in diesem Sinne gefeiert werden soll (wie jeder Verständige zugibt): so ist der Sonntag der Gedächtnißtag der Auferstehung Jesu Christi und soll daher, wenngleich von Jedem nach seiner besondern religiösen Ueberzeugung, doch von Allen auf eine ernste, stille Weise gefeiert werden. Wer Vergnügen und Belustigung wünscht, der wähle dazu irgend einen von den andern sechs Tagen, lasse aber uns Christen den Sonntag zu dem Zweck feiern, wozu er eingesetzt ist.

Die amerikanische Geschichte zeigt auf's deutlichste, daß die Gründer der ersten europäischen Kolonien hier im Lande bloß zu dem Zweck hieherkamen, um hier Gott nach den Vorschriften ihres Gewissens anzubeten. Ihre zahlreichen Nachkommen werden sich daher dies große Vorrecht, wie von fanatischen Verfolgern, so auch von ungläubigen Verächtern nicht nehmen lassen. Von uns Deutschen sind gleichfalls viele mit um deswillen hieher ausgewandert, weil sie wußten, daß hier Religion und Gottesdienst vom Staate nicht nur erlaubt, sondern öffentlich anerkannt und gesetzlich geschützt wird. Andre gibt's unter uns, die zwar früher dies nicht beachteten, während ihres Aufenthalts hier im Lande aber es achten und werthschätzen gelernt haben. Diese beiden Klassen von Deutschen sind ebenfalls nicht Willens, das Recht des freien, öffentlichen, ungestörten Gottesdienstes fahren zu lassen. In ihrem eignen, in ihrer Kinder, in ihrer deutschen Landsleute, in des ganzen Volkes Interesse verbünden sie sich mit ihren, für den Sonntag einstehenden amerikanischen Mitbürgern, um die Entweihung des Sonntags und die Störung des Gottesdienstes durch öffentliche Belustigungen zu entfernen. Da mögen denn unsre Gegner wohl zusehn, was sie thun. Würde es ihnen gelingen, unser Streben zu nichte zu machen, so würde das nach unsrer Ueberzeugung für sie selbst der größte Schade sein. Wer aber diese Ueberzeugung nicht theilt, der erkenne und bedenke wenigstens, daß das Recht auf Seiten derer ist, die einen stillen Sonntag wollen, an welchem sowohl die Geschäfte als die Vergnügungen ruhen; und daß überhaupt die Gesetze unsers Landes nicht dazu da sind, den Unglauben und Leichtsin zu befördern, der ohnedies überall üppig genug empor wuchert, sondern den Gottesdienst und die gute Sitte zu schützen.

Petition

wider den Sonntagshandel mit berauschenden Getränken.

An den Board der Kommissäre der Metropolitan-Polizei.

Geehrte Herren! — Die fünfte Sektion der Metropolitan-Polizei-Akte besagt: Es soll die Pflicht der hierdurch eingesetzten Polizei-Behörde sein, jederzeit bei Tage und bei Nacht . . . den öffentlichen Frieden aufrecht zu halten, Verbrechen zu verhüten, und die, welche Verbrechen begangen haben, zu verhaften, die Sicherheit von Leben und Eigenthum zu schützen; einen guten Gesundheitszustand zu befördern; . . . darauf zu halten, daß alle auf die Sonntagsfeier bezüglichen Gesetze, . . . sowie die Gesetze hinsichtlich Spiels und Trunks . . . gehörig vollzogen werden; und alle stadträthlichen Verordnungen zu befolgen und zu vollziehen zc.

Die Unterzeichneten berufen sich auf die beifolgenden Aussprüche von vier verschiedenen Grand Juries — die von den ehrenwertheften Bürgern herühren und eidlich bekräftigt sind — sowie auf die amtlichen Berichte, die von Ihnen selber abgegeben sind. Beweise genug liegen darin vor, daß der Sonntagshandel mit berauschenden Getränken den öffentlichen Frieden stört, Verbrechen herbeiführt, die Sicherheit von Leben und Eigenthum gefährdet, den öffentlichen Gesundheitszustand verschlechtert, die auf die Sonntagsfeier bezüglichen Gesetze mit Füßen tritt, die Spielwuth hegt und befördert, Trunksucht erzeugt — und das Alles in offenkundiger Verachtung der Gesetze des Staates und der Verordnungen des Stadtraths, zu deren Befolgung und Vollziehung Sie, geehrte Herren! sich feierlich verpflichtet haben.

Die Steuerlast, die der Bürger zur Bestreitung der Kosten der Gerichtspflege, der Polizei, der Gefängnisse und der Armen-Verpflegung aufzubringen hat, ist so drückend geworden, daß man billig fragt: weshalb sind so hohe Abgaben nöthig? Und da finden wir denn, daß vor Allem die 7700 nicht lizenfirten Schenkkorte, von denen über 5000 am Sonntage offen stehen, das Mark des Gewerbefleißes und Wohlstandes unserer Stadt verschlingen. Eine halbe Million Dollars, die dieselben jährlich für Lizenzen bezahlen sollten und doch unbezahlt lassen, wird dem städtischen Schatz entzogen; die vom

Gesetze festgestellten Strafgeelder für gesetzwidrige Handlungen am Sonntage, im Betrage von wenigstens einer Million Dollars, werden nicht eingefordert; von den 40,000 öffentlichen Armen ist bei Weitem die Mehrzahl in Folge der Trunksucht arm geworden. All' diese Summen hat anstatt derer, denen ihre Bezahlung mit Recht obläge, der fleißige und ordentliche Bürger zu zahlen. Doch dies ist noch das Wenigste. Vor unseren Gerichtshöfen und in unsern Gefängnissen befinden sich Tausende, die in Folge des Ausschankens berauschender Getränke am Sonntage allererst auf die Bahn des Lasters und Verbrechens hingeleitet wurden. Die Lust und Thätigkeit zur Arbeit wird dadurch vermindert, Verarmung und Entsittlichung befördert; bei der Jugend vornehmlich wird eine wüste Lebensweise, und in Folge davon das Rowdythum und die zügellose Uebertretung der Gesetze genährt, das sittliche Gefühl geschwächt, die Heiligkeit des Tages des Herrn verletzt und der wohlthätige Einfluß der Religion gehemmt. Im Hinblick auf all' solche Ungebühr können die Unterzeichneten nicht umhin, in ihrem eigenen und ihrer Mitbürger Interesse, zur Bekämpfung dieser Uebel ehrerbietig und dennoch ernstlich Schutz und Hülfe zu begehren.

Die statistischen Angaben Ihres Board's bekunden einen so genauen Zusammenhang zwischen dem Sonntagshandel mit berauschenden Getränken und der Begehung von Verbrechen, daß er Ihre Aufmerksamkeit und Ihr Einschreiten gebieterisch erfordert. Es geht daraus hervor, daß in den achtzehn Monaten vom 8. Juli 1857 bis 8. Dezember 1858, am Dienstag im Ganzen 7816, am Sonntag hingegen 9713 Verhaftungen stattfanden, also 25 Procent mehr.

Noch schlagender ist das Zeugniß Ihres letzten Jahresberichts, worin Sie die Zahl der Verhaftungen an drei aufeinander folgenden Sonntagen, an welchen „das Gesetz beobachtet wurde,“ auf 254 angeben, während die Verhaftungen an eben so vielen Sonntagen, „nachdem die Verkäufer berauschender Getränke erfahren hatten, daß sie das Gesetz ungestraft übertreten könnten,“ sich auf 503 beliefen. Dies zeigt auf's kündigste, wie sehr, wenn jener Handel aufhört, die Verbrechen und Störungen des öffentlichen Friedens abnehmen. Diesem offiziellen Aktenstück gemäß verhinderte also die nur theilweise und vorübergehende Vollziehung der Gesetze wider den Sonntagshandel mit berauschenden Getränken die Hälfte der Verbrechen und Ruhestörungen, die zu erwarten waren und wirklich geschahen, sobald die Schranke des Gesetzes hinweg gethan war. Wie viel ist daher zu hoffen, wenn jener Handel völlig und bleibend unterdrückt wird! Da nun der Zusammenhang

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zwischen Ursache und Wirkung in diesem Falle so deutlich zu Tage liegt, so steht Ihnen, achtbare Herren! sowohl nach allgemein gültigen Gesetzes-Prinzipien, als nach den Bestimmungen Ihrer Organisations-Akte, (welche Sie verpflichten, „Verbrechen zu verhüten und die, welche sie begangen haben, zu verhaften,“) das unbestrittene Recht zu, die ganze unter Ihrem Befehl stehende Polizeigewalt vielmehr zur Unterdrückung der Ursache des Uebels, als seiner zahllosen einzelnen Kundgebungen zu verwenden. Sie haben, um mit einer neueren Grand-Jury zu reden, sowohl das Recht als die Macht, „die Wurzeln dieses Giftbaums auszurotten, so daß er weder Blätter, Knospen und Blüthen, noch Früchte bringt, womit ohne Zweifel mehr ausgerichtet wird, als durch das fruchtlose Streben, die bereits zur Reife gelangten Früchte zu zerstören.“ Ist's doch unendlich leichter, ein Uebel von vorn herein abzuwehren, als, indem man es stets sich neu erzeugen und verbreiten läßt, es dann nachher hinweg zu schaffen!

Nach dem Statut vom Jahre 1857 kann jeder von den 7,702 nicht lizenfirten Verkäufern berauschender Getränke deshalb verhaftet werden, weil er überhaupt (am Sonntag, wie an jedem andern Tage,) diesen Handel treibt; gegen die lizenfirten Verkäufer aber ist gemäß der in jenem Statut enthaltenen Bestimmungen wider den Sonntagsverkauf zu verfahren. Sodann verbietet die städtische Verordnung (Corporation Ordinance) von 1855 allen Sonntagshandel mit berauschenden Getränken bei Geld- oder Gefängnißstrafe, und setzt fest, daß vor irgend welcher obrigkeitlichen Person deshalb Klage eingelegt werden kann. Es sind also Gesetze genug gegen dies Uebel vorhanden, und die öffentliche Meinung wird unsers Erachtens für ihre Vollziehung eintreten und die Mitwirkung der Obrigkeit fordern, die, wie wir hoffen, willig geleistet werden wird, um die Stadt von einer Hauptursache der übermäßigen Besteuerung, der Verarmung und der Verbrechen zu befreien.

Da jedoch unter den Tausenden von Bierwirthen und andern Verkäufern berauschender Getränke — besonders unter den nicht hier zu Lande gebornen — manche sein mögen, die nicht wissen, daß ihr Geschäft gesetzwidrig ist, so möchten wir anempfehlen, daß die Gesetze und Verordnungen hinsichtlich des Sonntagshandels mit berauschenden Getränken gedruckt und in allen Schenkplätzen vertheilt werden. Zugleich aber werde ausdrücklich angekündigt, daß von einem bestimmten Tage an die ganze Polizei-Gewalt beharrlich dazu verwendet werden wird, diesen Bestimmungen Gehorsam zu verschaffen und Gesetz und Ordnung wieder herzustellen.

Nach der Ansicht der Unterzeichneten ist ein derartiges Verfahren erforder-

lich, um die Würde und das Ansehen Ihres Boards zu behaupten, und um das Wohl der Einwohnerschaft, deren Leben und Eigenthum Ihrem Schutze anvertraut sind, zu bewahren. Ueberdies begehren wir ein derartiges Verfahren im Interesse desjenigen Theiles unserer eingewanderten Bevölkerung, der für die Geseze und Institutionen, unter denen er lebt, nicht die erforderliche Achtung besitzt; im Interesse der unglücklichen Opfer der Armuth und Verbrechen, denen eine stille, ernste Sonntagsfeier zwiefach Noth thut, um Kraft zu erhalten zum Widerstand gegen die Versuchungen der Woche; im Interesse der Familien, denen das tägliche Brod durch den Sonntagsverkauf berauschender Getränke vor dem Munde weggenommen und in Gift für ihre Gatten und Väter umgewandelt wird; im Interesse der christlichen Bürger, deren Ruhe gestört und deren sittliches Gefühl durch den wilden Lärm der Sonntagsfchenken und Sonntags-theater gekränkt wird; im Interesse der Sittlichkeit und Religion überhaupt, die nicht bestehen können, wenn der Sonntag entheiligt und in zügelloser Zerstreuung zugebracht wird. Und wir behaupten: auch unsere freien Institutionen können dabei nicht bestehen, indem ihr Gedeihen und ihre Erhaltung von der öffentlichen Anerkennung der zehn Gebote und der Grundlehren des Neuen Testaments abhängt.

Schließlich erklären wir Unterzeichnete, sowohl in Betreff unser selbst, als aller guten Bürger, daß Ihr Board von unsrer willigen und standhaften Unterstützung jeder zweckmäßigen Maßregel zur Unterdrückung des Sonntags-handels mit berauschenden Getränken überzeugt sein darf.

[Folgen die Namen von 428 deutschen Einwohnern von New-York.]

Grundlage der Petition.

Aussprüche der Grand-Juries.

1. Die Grand-Jury vom Februar 1858, unter Vorsitz von Wilson G. Hunt, erklärt:

„Die von einem Theile der Bevölkerung an den Tag gelegte Verachtung der Gesetze, welche die Sonntags-Feier betreffen, ist ein bedenkliches und stets zunehmendes Uebel. . . In einigen der volkreichsten Stadttheile sind am Sonntag Nachmittag und Abend theatralische Vorstellungen, weltliche Concerte, Regelpbahnen, Schießplätze, Gaukelspiele, Tanzsäle, Musikbanden, Schenken und alle möglichen sonstigen ungesetlichen Vergnügungen in vollem Gange, in offener Verletzung des Gesetzes und Nichtachtung der Obrigkeit. Eine große Menge unbewachter junger Leute und ent-sittlichter älterer Leute beiderlei Geschlechts strömt zu diesen, gesetzwidrig offenen Orten hin, und die Folgen davon sind: Ausschweifungen, Händel und häufige Gewaltthaten. Abgesehen von der Belästigung und Beleidigung, welche dem das Gesetz beobachtenden und christlichen Theile der Bevölkerung durch solche Störungen erwächst, muß schon die Thatsache, daß die Gesetze auf solche Art öffentlich verletzt werden können, ohne daß die dazu verordnete Obrigkeit ihre Handhabung durchsetzen kann, von der schädlichsten Wirkung sein. Diese Wirkung erstreckt sich nicht nur auf die Uebelgesinn-ten, welche an diesen ungesetlichen Zusammenkünften theilnehmen, sondern auf Alle, welche durch die unwirksame Handhabung des Gesetzes zu einem schlechten Lebenswan-del veranlaßt werden. Wir empfehlen daher, daß die Gesetze behufs Unterdrückung dieser Schaustellungen streng durchgeföhrt, und es zur besonderen Pflicht der Polizei gemacht werde, dieselben durch stete und gleichmäßige Handhabung des Gesetzes zu unterdrücken. Es ist nicht zu leugnen, daß diese ungesetlichen Zusammenkünfte zu den Hauptursachen gehören, durch welche in der verdorbenen Jugend unserer Stadt die furchtbare Geneigtheit zu Verbrechen erzeugt wird, die vor unserm Kriminal-Gerichten sich täglich kund gibt.“

2. Die Grand-Jury vom Oktober 1858, unter Vorsitz von L. R. Morris, erklärt:

„Die Entweihung des Sonntags von Seiten derer, welche die zahlreichen Trink-, Tanz- und Gesang-Lokale besuchen, die durch die ganze Stadt sich in Menge finden, ist ein Gegenstand steter Klage, und erfordert ein entschlossenes und wirksames Ein-schreiten der Obrigkeit behufs Unterdrückung derselben. Die Grand-Jury ist im Besitze von Thatsachen, welche beweisen, daß gegen 20,000 Fälle von Uebertretung des Ver-bots hitziger Getränke am Sonntag der Polizei angezeigt worden sind, ohne daß auch nur in Einem Falle ein gerichtliches Verfahren eingeleitet wäre. Die Grand Jury ist der Ansicht, daß jedes Gesetz, die Entweihung des Sonntags betreffend, strenge ge-handhabt werden sollte, wenigstens soweit als nöthig ist, um alle Störung der öffent-lichen Ruhe von denen fernzuhalten, die es vorziehen, diesen Tag höheren und heiligeren Zwecken zu widmen.“

3. Die Grand-Jury vom 21. Jan. 1859, unter Vorsitz von Theod Martine, erklärt:

„Die Grand-Jury kann ihre Arbeiten nicht schließen, ohne dem Gerichtshof und dem Publikum die wichtige Thatfache vorzulegen, daß ein sehr großer Theil der Uebeltände, die sie in Erwägung zu ziehen hatte, von dem Verkauf und Gebrauch berauschender Getränke herrührte.

„Fast alle Fälle von Mord, Ueberfall und Schlägerei, die zur Untersuchung gekommen sind — und die Zahl derselben ist sehr groß — rühren nachweislich von dieser Ursache her. Es läßt sich daher nicht absehen, wie eine Verminderung der Verbrechen zu erwarten sei, so lange Gesetze zur Unterdrückung des Verkaufes berauschender Getränke entweder fehlen, oder, insofern sie vorhanden, sich als unwirksam beweisen.

„Es ist allgemein bekannt, daß die Zahl der Schenkplätze, wo jene Getränke verkauft werden, sich binnen weniger Jahre stark vermehrt hat; und hieraus mag in gleichem Maße die starke Vermehrung der Verbrechen, der Verarmung und der Abgablast unserer Stadt, sowie die vermehrte Arbeit unserer Criminal-Gerichte zu erklären sein.“

Die Grand-Jury vom Februar 1859, unter Vorsitz von Charles Aug. Davis, gibt folgende nachdrückliche Erklärung ab:

„Die Menge der Armen dieser Stadt und County ist jetzt auf beinahe vierzig Tausend gestiegen. Diese Zahl, die mit Recht Beunruhigung erweckt, zerfällt in zwei Klassen, nämlich solche, die in den öffentlichen Anstalten, und solche, die anderweitig unterstützt werden (indoor and outdoor poor.) Die erstere Klasse macht ungefähr ein Viertel, oder über 8000 aus; die letztere Klasse über 30,000. So mit sind 40,000 Arme auf die Fürsorge der Gouverneure des Armenhaus-Departements angewiesen, zu einem von den Steuerpflichtigen aufzubringenden Kostenbetrage, welcher der ganzen Abgablast gleichkommt, die vor nur 20 Jahren aufgebracht werden mußte. Das sind Thatfachen sehr beunruhigender Art, vollends wenn wir finden, daß ungeachtet einer so ausgedehnten Wohlthätigkeit das Uebel in raschem Zunehmen begriffen ist, woraus unverkennbar erhellt, daß Alles, was die öffentliche Wohlthätigkeit geben mag, die Verarmung hinnimmt, und wohl noch weit mehr dazu. Und doch bleibt dasjenige, was die Privat-Mildthätigkeit thut, nur wenig hinter den ansehnlichen Summen zurück, welche die öffentliche Wohlthätigkeit verausgabt.

„Bei Untersuchung der Fälle, die uns in einem langen Verzeichniß von Verbrechen zu Anfang unseres jetzigen Terminus vorgelegt wurde, finden wir, daß mit sehr wenigen Ausnahmen, die angezeigten Verbrechen in Plätzen und Höhlen der Schlechtigkeit entspringen, wo berauschende Getränke verkauft und getrunken wurden.“

Anhang

Gesetze und Verordnungen, betreffend den Sonntagshandel mit berauschenden Getränken.

1. Gesetze, welche allen Handel, nebst Spielen und theatralischen Vorstellungen, am Sonntag verbieten.

§ 58. [Abschnitt 64.] Niemand soll irgend eine Versammlung von Leuten, die zum Gottesdienst zusammengekommen sind, durch lose Reden, durch rohes und unanständiges Betragen, oder durch Erregung von Lärm, absichtlich stören, unterbrechen oder beunruhigen, sei es an der Stätte des Gottesdienstes selbst, oder so nahe dabei, daß die Ordnung und feierliche Haltung der Versammlung dadurch gestört wird.* Auch soll Niemand innerhalb zwei Meilen von dem Orte, wo irgend eine Religions-Gesellschaft gerade zum Gottesdienst versammelt ist, hixige oder destillierte Getränke zum Verkauf oder Verschwenken ausstellen, oder eine Hockerbude halten an irgend einem Orte, Wirthshause, Kauf- oder Spezerei-Laden, als nur an solchen, die gehörig lizenziert sind, und an denen der Verkäufer seine gewöhnliche Wohnung gehabt oder sein Geschäft betrieben hat. Auch soll Niemand, innerhalb der genannten Entfernung, irgendwelche Schaustellungen oder Spiele veranstalten, außer wenn dieselben von der betreffenden Behörde gehörig lizenziert worden sind.† Auch soll Niemand, innerhalb der genannten Entfernung, irgend ein Wettrennen irgendwelcher Thiere, oder irgend ein Spiel von irgendwelcher Art befördern, unterstützen oder betreiben.‡

§ 59. [Abschnitt 65.] Wer irgend eine Bestimmung des vorhergehenden Abschnitts verletzt, kann vor irgend einem Friedensrichter des County, oder irgend einem Mayor, Recorder, Aldermann, oder sonstiger obrigkeitlichen Person der Stadt (city), wo das Vergehen stattfand, summarisch überwiesen werden; und wenn er überwiesen worden ist, soll er in eine Geldstrafe verfallen, welche die Summe von 25 Dollars nicht übersteigt, zum Besten der Armen im County.

[Für den Fall, daß jemand die Geldstrafe und Kosten nicht bezahlen kann, wird in Abschnitt 68. Gefängnißstrafe vorgeschrieben, die nicht über 30 Tage dauern soll.]

§ 66. [Abschnitt 70.] Dieser Abschnitt verbietet „Spiel, Besuch von Schenken, oder irgendwelche sonst gesetzlich erlaubte Uebungen oder Belustigungen, am erster Wochentag, genannt Sonntag,“ und schreibt für jedes Vergehen eine geringe Geldstrafe vor.

§ 67. [Abschnitt 71.] Niemand soll irgendwelche Waaren, Handelsartikel, Früchte, Kraut, Güter oder sonstige Habe am Sonntag zum Verkauf ausstellen, ausgenommen Fleisch, Milch und Fische, die zu irgend einer Zeit vor neun Uhr Morgens verkauft werden dürfen. Die in solcher Weise zum Verkauf ausgestellten Gegenstände sollen zum Besten der Armen eingezogen und kraft eines zu diesem Zwecke ausgestellten Warrants, den irgend ein Friedensrichter des County, oder Mayor, Recorder oder Alder-

* In Folge dieser Bestimmung ist das Ausschreiben der Zeitungsbuden ungesetzlich.

† Dies ist auf Logerbier-Theater anwendbar.

‡ Dies Verbot ist auf die außerhalb der Stadt angestellten Wettrennen worüber öfters geklagt wird, anwendbar.

Der Sonntagshandel mit berauschenden Getränken. 17

mann der Stadt hiermit ermächtigt ist auszustellen, auf geschene Ueberweisung des Schuldigen weggenommen werden. Nach erfolgter Wegnahme sollen sie, nachdem solches einen Tag zuvor bekannt gemacht worden ist, verkauft, und der Erlös den Armen-Aufsiehern des Bezirks (town) oder der Stadt ausbezahlt werden.

2. Gesetze, welche den Verkauf berauschender Getränke, ohne Lizenz, verbieten.

Die Gesetze von 1857, Kap. 628, bestimmen:

§ 13. Wer irgendwelche starke oder spiritinöse Getränke oder Weine in Quantitäten von weniger als fünf Gallonen auf einmal verkauft, ohne eine Lizenz dafür zu haben, die so ertheilt ist, wie hier vorgeschrieben, soll in eine Geldstrafe von fünfzig Dollars für jede Uebertretung verfallen.

§ 14. Wer irgendwelche starke oder spiritinöse Getränke oder Weine in seinem Hause oder Laden zu trinken verkauft, ohne eine Lizenz als Inhaber eines Wirthshauses, einer Schenke oder eines Gasthofs zu haben, soll in eine Geldstrafe von fünfzig Dollars für jede Uebertretung verfallen.

§ 16. Es soll die Pflicht jedes Scheriff's, Unterscherriff's, Deputy-Scheriff's, Constabler's, Marschall's, Polizeidieners oder Polizei-Diffizier's sein, Jedermann zu verhaften, der über der thatsächlichen Begehung irgend einer Uebertretung dieser Akte betroffen wird, und denselben sofort vor irgend eine obrigkeitliche Person derselben Stadt oder des Bezirks zu führen, daß mit ihm nach den Bestimmungen dieser Akte verfahren werde. Und es soll die Pflicht der obrigkeitlichen Person sein, . . . einen Bond zu fordern . . . zum Betrage von einhundert Dollars Geldstrafe . . . oder den Schuldigen in das County-Gefängniß zu überliefern. Und ferner soll es die Pflicht der obrigkeitlichen Person sein, irgend eine Anklage wegen Verletzung dieser Akte anzunehmen, die von irgend Jemanden eidlich geschieht, und sofort einen Warrant auszustellen.

Anmerkung. Diese Bestimmungen beziehen sich sowohl auf den Sonntag als auf die Werkstage, und gehen die 5000 am Sonntag offenstehende Schenkplätze an, deren keiner Lizenz hat.

3. Gesetze von 1857, Kap. 628, welche den Sonntagshandel auch der Lizenfirten Verkäufer verbieten.

§ 21. Kein Inhaber eines Wirthshauses, einer Schenke oder eines Gasthofs, oder Jemand, der Lizenz hat, Getränke zu verkaufen, soll berauschende Getränke oder Weine am Sonntag, oder an irgend einem Tage, an dem eine allgemeine oder besondere Wahl oder Bezirks-Versammlung (town-meeting) stattfindet, innerhalb einer Viertelmeile von dem Orte, wo solche allgemeine oder besondere Wahl, oder Bezirksversammlung in irgend einer Stadt, Dorf oder Bezirk dieses Staates gehalten wird, an irgend Jemanden, wer es auch sei, als Getränk verkaufen oder verschenken. Falls die Wahl oder Bezirks-Versammlung nicht allgemein durch den ganzen Staat hin geschieht, sollen die Bestimmungen dieses Abschnitts nur auf diejenige Stadt, County, Dorf oder Bezirk Anwendung leiden, in denen solche Wahl oder Bezirks-Versammlung stattfindet. Wer immer die Bestimmungen dieses Abschnitts übertritt, soll als eines Vergehens (misdemeanor) schuldig angesehen, und nachdem er überwiesen ist, im County-Gefängniß, Arbeitshause oder Strafgefängniß nicht mehr als zwanzig Tage gefangen sitzen.

4. Die Metropolitan-Polizei-Akte bestimmt: [Gesetze von 1857, Kap. 569.]

§ 21. Es soll Niemanden gesetzlich erlaubt sein, irgendwelche berauschende Ge-

18 Der Sonntagshandel mit berauschenden Getränken.

tränke am ersten Tag der Woche, genannt Sonntag, oder an irgend einem öffentlichen Wahltage, innerhalb des besagten Metropolitan-Polizei-Bezirks öffentlich zu halten oder feilzubieten, unter einer Geldstrafe von fünfzig Dollars für jede Uebertretung; und es soll behufs Einziehung dieser Geldstrafe Klage eingelegt werden im Namen des Volks des Staates New-York durch den Bezirks-Attorney des County, in welchem die Uebertretung begangen worden ist, zum Besten des Police Contingent Fund. Und es soll die Pflicht der Polizei-Behörde sein, die Bestimmungen dieses Abschnitts streng durchzuführen, durch angemessene Befehle zu diesem Zwecke.

5. Die städtische Verordnung von 1855 setzt fest:

§ 1. Wenn irgend Jemand in der Stadt New-York Wein, Ale, Lagerbier oder andere starke oder spirituose Getränke im Kleinhandel verkauft oder überliefert, oder zulässt, daß Wein, Ale, Lagerbier oder andere starke oder spirituose Getränke, die von ihm so verkauft oder überliefert worden sind, in seinem Hause, Nebenhause, Garten oder sonstigem Grundeigenthum irgendwelcher Art, getrunken werden, ohne gesetzlich licensirt zu sein, oder wenn Jemand, der so licensirt ist, zulässt, daß Wein, Ale, Lagerbier oder andere starke oder spirituose Getränke, die in vorbesagter Weise verkauft oder überliefert sind, am ersten Tage der Woche, genannt Sonntag, in vorbesagter Weise getrunken werden, ausgenommen von Kostgängern und bei ihm Logirenden oder wirklichen Reisenden, innerhalb der Bestimmungen des Gesetzes, so soll er für jede solche Uebertretung den hiernach benannten Strafen und Strafgebern verfallen sein.

§§ 2-4. Diese Paragraphen bestimmen, daß es die Pflicht jeder obrigkeitlichen Person sein soll, auf geschehene Klage wegen Verletzung irgend eines Theils des ersten Abschnittes, und auf stattgehabten Beweis oder Geständniß, den Uebertreter eines Vergehens schuldig zu erklären, und ihm für jede solche Schuldigerklärung eine Geldstrafe von nicht über zehn Dollars aufzulegen, und wenn er dieselbe nicht bezahlen kann, ihn für einen Zeitraum von nicht mehr als einem Tag für jeden Dollar der so auferlegten Geldstrafe gefangen zu setzen. Alle auf solche Weise eingezogenen Gelder aber sollen an das Armenhaus-Departement behufs Unterstützung der Armen der Stadt ausbezahlt werden.

Anmerkung. Aus Obigem geht hervor, daß jeder Sonntagsverkauf berauschender Getränke eine Uebertretung von wenigstens vier Gesetzen ist: nämlich von den Gesetzen wider allen Sonntagshandel; denen gegen nicht licensirten Verkauf berauschender Getränke; der Metropolitan-Polizei-Akte von 1857, und der städtischen Verordnung von 1855.

Artikel aus New-Yorker Zeitungen, die Sonntagsfrage betreffend.

Aus dem Journal of Commerce vom 5. Juni.

Deutsche Ideen und Eigenthümlichkeiten.

Die Ideen und Eigenthümlichkeiten der Yankee's (Yankee notions) sind sprichwörtlich geworden. Es giebt aber ebensowohl deutsche Ideen und Eigenthümlichkeiten. Einige darunter sind gut, andere liegen in der Mitte zwischen gut und schlecht, noch andere sind entschieden schlecht. Wenn dieselben sich zu etwas wirklich Bösem gestalten, so müssen sie bekämpft werden, sowohl zum Besten derer, die sie hegen, als um des öffentlichen Wohles willen.

Die warme Freiheitsliebe, welche allzeit den deutschen Stammgenossen eigen gewesen ist, macht sie für Amerika wohlgeeignet. Der Fleiß und die Sparsamkeit, die sich gewöhnlich unter ihnen finden, läßt uns in ihnen einen willkommnen Zuwachs unserer Bevölkerung erblicken. Unter guten Einflüssen, besonders wenn sie unter der amerikanischen Bevölkerung gehörig vertheilt sind, so daß der Strom ihres Lebens sich mit dem unsern eint, werden sie unsere schätzbarsten Bürger, und verdienen, was ihnen auch zu Theil wird, große Achtung.

Wenn sie jedoch sich massenweise zusammendrängen und die schlechtesten Eigenthümlichkeiten und Vorurtheile ihres Stammes beibehalten, wenn überdies eine zweifel-süchtige Presse und rothrepublikanische Redner mit all ihrem Groll gegen die euro-päische Reaktion von 1849, dazu die Schenkensäle und Sonntagstheater mit ihren steten Versuchungen zu Armath und Verderben alle schlechten Elemente, die sich unter den Deutschen finden, in erhöhte Thätigkeit und Kraft setzen, so werden dieselben ganz andere Leute, auf die hinfort kein Verlaß mehr ist. Der Unterschied der Sprache, der sie von den bildenden, heilsamen Einflüssen fernhält, welche beständig auf die englisch redende Bevölkerung einwirken, macht die Gefahr um so größer.

Der östliche Theil unserer Stadt nimmt mit raschen Schritten einen deutschen Charakter an. Die eilfte und siebentzente nebst noch einigen andern Wards enthalten bereits mehr Deutsche als die meisten größern Städte Deutschland's selbst. Es wird deßhalb für uns immer wichtiger, die unter ihnen herrschenden Ansichten zu kennen und ihr Verhältniß zu unseren Gesetzen und Gewohnheiten zu erörtern. Es ist schon von vorn herein zu erwarten, daß wir einerseits Manches von ihnen lernen, andererseits ihnen einige wichtige Lehren geben können.

Unsere beiderseitigen Ansichten vom Sonntag gehen jedenfalls weit auseinander. Uns ist der Sonntag ein gottesdienstlicher, der Ruhe und Andacht gewidmeter Tag. Die gewöhnlichen Geschäfte stehen still, die sonst üblichen Vergnügungen werden bei Seite gesetzt. Wir bestimmen Ginen Tag unter sieben zu körperlicher Rast und geistiger Erhebung. Unsere Gesetze nöthigen den Arbeitgeber, das allgemeine Anrecht der arbeitenden Klassen auf diese Gabe des Himmels zu ehren. Und nicht nur das, sie gehen noch einen Schritt weiter und verhindern, ebenfalls im Interesse des Armen, daß sein sauer verdienter Wochenlohn in die Tasche des Wirthes gehe, und sein einziger Ruhetag ihm, seiner Familie und seiner weiteren Umgebung ein Fluch werde. Bei den Deutschen hier zu Lande ist dagegen der Sonntag ein Tag des sinnlichen Genusses, der Tag für Bistniks, Excursionen zu Wasser und zu Lande, öffentliche Spiele, lärmende Musik, Tanz, Theater-Vorstellungen, Alles im Geleit ganzer Ströme Lagerbier oder noch stärkeren Getränkes, je nachdem der Wagen und der Geldbeutel es zuläßt.

Wir wollen uns nicht dabei aufhalten, die Richtigkeit dieser zwei so verschiedenartigen Auffassungen des Sonntags näher zu erörtern. Eine einzige Stelle aus einem hiesigen deutschen Blatte wird zeigen, daß wir die Sache richtig dargestellt haben. Der „Democrat“ vom vorigen Sonnabend sagt: „Wir haben Sommergärten und Sommertheater; aber noch lange nicht genug. Dampfboote und Eisenbahnen müssen Sonntags erst Tausende hinausstragen in's Freie; Musik und Tanz unter grünen Bäumen müssen ertönen, wohin man sich wendet; überall Lust und Leben und Freude, und dann, Ihr Herren Wassersimpel, steckt Eure Nasen in die Schnapsspelunken, die Euer frommes Herz jetzt so erzittern machen, Ihr werdet sie leer finden; aber nicht früher.“

Es will uns bedünken, das hier angegebene Mittel, die Schnapsspelunken leer zu machen, würde dazu dienen, andere Anstalten von gleicher Tendenz um so mehr zu füllen; nur daß dieselben weiter ab in die Vorstädte hinausrücken und unsern Nachbarn längs des Hudson-Flusses und der Bay eine kleine Probe eines nach dem Motto „Immer lustig!“ gefeierten New-Yorker deutschen Sonntags gewähren würden. So viel aber ist gewiß, daß ein gedrängtes Lagerbier-Theater in der Bowery oder Vierten Straße allen andern unreinen, schlecht gelüfteten, die Gesundheit verderbenden Orten in der Welt den Rang ablänft. Der Vorwand, dem Gefalbader eines Schwarzrockes oder eines brünstigen Gebetbüchleins zu entgehen, um an solchen Orten „Erholung“ zu finden, ist daher ein ebenso handgreiflicher Unsinn, als wenn Jemand vom Broadway hinweg nach Cherrystr. eilen würde, in der Absicht, dort eine reinlichere Straße anzutreffen.

Doch, die Frage nach der Richtigkeit dieser Ansichten bei Seite — welche Ansicht

soll bei uns gelten? Welche hat geschichtlich sich so bewährt, daß sie gerechte Ansprüche auf Geltung hat? Es ist jedenfalls gewiß, daß der Versuch, den wir nun ein bis zwei Jahrhunderte lang mit unserem amerikanischen Sonntag gemacht haben, die Anhänglichkeit unseres Volkes an die wesentlichen Grundlagen dieser wohlthätigen Einrichtung nicht geschwächt hat. Wir haben noch keine Ursache gefunden, seinen heilsamen Einfluß auf Körper und Geist, auf die Sittlichkeit und das öffentliche Wohl in Zweifel zu ziehen, und in Folge dessen ihn zu beseitigen. Unser nationales Leben ist so gediehen und so erstarkt, daß es Millionen Menschen aus den Ländern, in denen am Sonntag „Luft und Leben und Freude“ herrscht, hierher gezogen hat. Auch ist uns nicht bekannt, daß man unter Musik und Tanz, die im Schatten grüner Bäume ertönen, die Bahn zur ersehnten Freiheit in jenen Ländern mit Erfolg eingeschlagen hätte. Wir verweisen hierbei auf eine Stelle in Hallam, welche dahin lautet, daß die Politik despotischer Herrscher allzeit darauf gerichtet gewesen sei, die Lust an Bergnügungen und Genüssen in den Völkern zu befördern, weil das sie vom Nachdenken über politische und Religions-Fragen abhalte und sie in solcher Weise aufheitere, daß sie ihren Druck nicht fühlen. Es scheint demnach, daß, wenn eine freie Regierungsform bei uns fortbestehen soll, es sicherer ist, sich an den Ankerplatz zu halten, den die einzigen freien Völker auf Erden zuverlässig befunden haben, als in See zu gehen und Lagerbier zur Schiffsladung, den Sonntag zum Abfahrtstag und das Verderben zum Ziel der Fahrt zu erwählen.

Aus dem Journal of Commerce vom 11 Juni.

.... Der „Democrat“ und die „Staatszeitung“ scheinen den festen Willen zu haben, die Absicht der Petition über den Sonntagshandel mit berauschenden Getränken nicht zu verstehen; sie fahren fort, die ganze Sache unrichtig darzustellen. Die Redakteure dieser Blätter sollten jedoch die sehr bedeutsame Thatsache beachten, daß von unserm Duzend täglicher Zeitungen, die in englischer Sprache erscheinen, nicht eine einzige gewagt hat, die Billigkeit des in der Petition ausgesprochenen Begehrens, daß die bestehenden Gesetze veröffentlicht und ausgeführt werden, in Zweifel zu ziehen. Sogar der „Herald“, welchen der „Democrat“ als „kräftigen Vertheidiger der uns angeborenen Rechte“ anführt, hat dieselbe nicht bestritten. Was für Fehler unsere Tagespresse sonst auch haben mag, keine Zeitung und keine Partei hat Luß, ihren guten Ruf dadurch auf's Spiel zu setzen, daß sie dem Aufruhr und Verbrechen das Wort redet.

.... Die ältesten wie die jüngsten Gesetze aller unsrer Staaten — mit ein oder zwei Ausnahmen, die aus dem Vorwiegen des französischen und spanischen Elements herrührten — haben die Nothwendigkeit eines wöchentlichen Ruhetages für Mensch und Vieh anerkannt. Sie haben den ersten Tag der Woche in Beziehung auf gewöhnliche Arbeiten und Geldkontrakte behandelt, als sei er gar nicht da. Sie haben gesucht, dem Arbeiter, sowohl dem schwarzen wie dem weißen, dem Leibeigenen wie dem freien, alsdann ein ruhiges Athemholen zu sichern. Sie haben dem Kapital geboten: du sollst Niemanden zu hebentägiger Arbeit nöthigen, sondern sollst für die Arbeit der sechs Werkstage so viel zahlen, daß der Arbeiter den siebenten Tag als Ruhetag benutzen kann. Sie haben den Branntwein- und Lagerbier-Verkäufern geboten: ihr sollt an dem einzigen Ruhetage des Arbeiters kein Handels-Monopol haben, und sollt seinen Wochensohn, der dem hüngrigen Mund der Seinigen gehört, nicht in eure Taschen stecken. Dies Alles haben unsre Gesetze jederzeit mit stets zunehmendem Nachdruck ausgesprochen; und nun will man uns auf einmal sagen, daß diese Gesetze unsrer Verfassung zuwider sind und ihr stets zuwider waren? Wer sagt dies? Die sich mehrende Menge, zu deren Wohl jene Gesetze gegeben wurden? oder die Leute, deren Selbstsucht den Armen zugleich seiner Ruhe und seines Geldes herabnehmen möchten? —

.... Diese Gesetze mit den in ihnen verkörperten Ansichten bilden einen ebenso wesentlichen Bestandtheil unseres nationalen Lebens, wie das Repräsentativ-System oder die Schwurgerichte. Ja, sie sind für die Eigenthümlichkeit und tiefste Grundlage unseres nationalen Lebens noch bezeichnender; denn sie berühren sowohl unsre moralischen als unsre politischen Grundlagen. Duponeau, unser würdiger französischer Mitkämpfer im Revolutionskriege, ging so weit, daß er, nach langem Aufenthalt hier im Lande, sich äußerte, „daß von Allem, worauf wir als auf etwas uns Eigenthümliches stolz wären, unsre Sonntagsfeier das einzige wahrhaft Nationale und Amerikanische sei; und wenn nicht um anderer Ursachen, so hoffe er schon um dieser willen,

daß wir immerdar mit patriotischer Vorliebe ihr zugethan bleiben würden.“ Und das werden wir. Hat unser Rath bei unsern deutschen und sonstigen Einwanderern irgend ein Gewicht, so rathen wir ihnen, sich mit dem vollen und gleichen Maße bürgerlicher und religiöser Freiheit zu begnügen, unter welchem unser Volk sich eines Gedeihens erfreut hat, das kein anderes Volk auf Erden erreichen wird. Und wir rathen ihnen ferner, diejenigen aus der alten Welt stammenden Liebhabereien und Gewohnheiten aufzugeben, welche dort Zwangsregierungen nothwendig gemacht haben und ein Gleiches hier thun werden, wenn Eigenmacht, Gesetzlosigkeit und Irreligion unsere weise und glückliche Gesetz-Regierung umwerfen.

Aus der New-Yorker Staatszeitung vom 31. Mai.

Sonntagsgesetz-Petitionen.

Petitionsformulare, die strenge Befolgung des fünften Abschnittes der Metropolitan-Polizei-Akte verlangend, circuliren wieder. Eins in deutscher Uebersetzung kam auch uns zur Hand. — Wir empfehlen die Unterzeichnung dieser Petition nicht und rathen entschieden davon ab.

Dieser Paragraph fünf handelt bekanntlich vom Sonntagsgesetze. Die Petition nimmt besonders Rücksicht auf den Verkauf berauschender Getränke, — sie ist eine Temperenz-Petition. — Es fällt uns nicht bei, zum Ungehorsam gegen bestehende Gesetze aufzureizen, aber ebensowenig kann es uns in den Sinn kommen, einer Verweigerung zu Gunsten von Gesetzen, denen wir ihre konstitutionelle Gültigkeit stets bestritten, das Wort zu reden.

Wir halten die Trunksucht, werde sie öffentlich oder heimlich befriedigt, für ein Laster, gehören auch nicht zu Denjenigen, welche einen Sonntagsausch für berechtigter halten als den Wochentagsausch; aber Alles, was im Interesse des Temperenzprinzips geschieht, bekämpfen wir als Vorurtheil, als Muckerei, als politische Kapitalmacherei. Wer den circulirenden Petitionen seinen Namen beifügt, unterschreibt all diese Vorurtheile und nimmt als Eingewandter den Temperenzfanatikern gegenüber beiläufig dieselbe Stellung ein, in welcher sich ein für den Paragraph Zwölf petitionirender Adoptivbürger befände; — denn es wird in dem Circulare ausdrücklich des Eingewanderten, als hervorragenden Sonntags-Attentäters gedacht.

Die Irrthümer und Willkürlichkeiten, welche darin liegen, die europäische Art der Sonntagsfeier mit der Zunahme des Verbrechens und Wauverismus in Zusammenhang zu bringen, haben wir schon genügend besprochen. Den Verfassern der Petition, welche sich auf die Sonntagsmanifeste verschiedener Grandjurors berufen, gilt dieselbe Widerlegung, welche die Argumentation der Grandjurors ihrer Zeit von unserer Seite erfahren. Wir haben damals durch Zahlen nachgewiesen, daß die Zunahme der Verhaftungen am Sonntage nicht von einer wirklichen Vermehrung unsittlicher Handlungen herrühre, sondern von der Thatsache, daß durch das Metropolitan-Polizeigesetz eine neue Gattung ungesetzlicher Handlungen geschaffen wurde.

Um den Geist, in welchem die Petition abgefaßt ist, zu charakterisiren, heben wir bloß folgende Stelle hervor: „Und wir behaupten: auch unsere freien Institutionen können dabei nicht bestehen, indem ihr Gedeihen und ihre Erhaltung von der öffentlichen Anerkennung der zehn Gebote und der Grundlehren des neuen Testaments abhängt.“

Zwei Punkte des Circulars scheinen uns aber vor allen andern unbegreiflich. Erstens, wie ein so frommes Document gleich in allem Anfange den materiellen Grund, die Einkünfte der Stadt durch das Bestehen nicht licenzirter Wirthschaften beeinträchtigt zu sehen, geltend machen kann — als ob das Sündengeld für verlorene Seelen dem ködtlichen Schatz Segen bringen könne — und zweitens, wie gute Christen die Gottgefälligkeit ihrer Mitmenschen von Prohibitivgesetzen, von der physischen Unmöglichkeit, dem Laster zu fröhnen, abhängig machen und der öffentlichen Moral dadurch ihre wahre Weihe, nämlich die freiwillige Abstinenz, rauben können.*

* Das ist gerade so geredet, wie wenn man sagen würde: die freiwillige Enthaltung von der Unkeuschheit ist die wahre Weihe der Ehe, folglich rauben alle Prohibitivgesetze gegen Unkeuschheit und Ehebuch der Ehe ihre wahre Weihe. Der: Prohibitivgesetze gegen Diebstahl rauben der Ehrlichkeit ihre wahre Weihe.

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Aus dem New-Yorker Demokrat vom 30. Mai.

Der Tag des Herrn.

Wie die Frösche im Sumpfe von Zeit zu Zeit die Köpfe emporstrecken, und durch ihr melodisches Gequacke die lauschenden Lüfte erquickten, um dann wieder in ihr wässrig sumpfiges Element zurückzusinken, so recken auch die Sonntagsheiligen ab und zu aus dem Sumpf ihres Kirchenglaubens die Köpfe in die Welt hinein und quaken: „Heiligt den Sabbath! Schändet nicht den Tag des Herrn!“ Ein solches Froschconcert ist am Freitag Nachmittag vor den Polizeicommissären aufgeführt worden, denen eine Delegation von Froschköpfen ein Memorandum überreichte, in welchem feierlichst gegen den Verkauf von beraushenden Getränken am Sonntag protestirt und die Aufrechterhaltung und Durchführung der Sonntagsgesetze verlangt wird. Die „Times“ nennt unter den Delegaten auch zwei deutsche Frösche, Moller und Nieher, doch sollen noch mehrere dabei gewesen sein. Am Sonnabend kam uns eine deutsche Petition zu, die Unterschriften zu obigem Zwecke zusammen sammeln soll. Folgender Paßus diene zur Charakteristik derselben: (Hier folgt der Schluß der Petition.)

Das geht über die Frösche!

Doch, ihr Herren des Sabbaths, ein Wort im Ernste! Warum sind die Kneipen, und zwar die gemeinsten, am Sonntag überfüllt? Warum sind die Verbrechen am Sonntag häufiger als an andern Tagen? Stehen nicht dieselben Kneipen, dieselben Theater auch an jedem andern Tage offen?

Ihr selbst tragt die Schuld daran mit euren versteinerten Sonntagsgesetzen. Der Arbeiter, der die Woche hindurch sich schwer abgemüht hat, will einen Tag der Erholung haben; und diese Erholung wird ihm hier abgeschnitten; es ist nicht jeder Mensch so stockfischartig, daß er seine Erholung sich aus dem Gesalbäder eines Schwarzkoches oder aus dem brünstigen Gebetbüchlein holen könnte. Die enge Werkstatt verlangt den Gegensatz der freien Natur, der Zwang der Arbeit drängt zur Ungebundenheit. Gut denn; so geht diesem natürlichen Drange eine freie Richtung, und der Sonntag wird ein Tag der Freude, nicht des Lasters werden.

Haben die deutschen Herren, welche die Petition entworfen haben, jemals einen deutschen Sonntag gesehen? Haben sie gesehen, wie in frohem Gewühle sich alles zu den Thoren hinausdrängt? Zu Fuße und zu Wagen, zu Wasser und zu Land. Hier wird getanzt und gespielt, gefezelt und gesungen, und die Polizei steht müßig, sie hat nichts zu thun; denn die gebotene Freiheit der Erholung ist die sicherste Schranke gegen die Uebertretung.

Dahin wird und muß es auch hier kommen, trotz allem Quaken der Wasser männer; jeder Tag bringt Fortschritt in dieser Beziehung und alles harmonische Musizieren aus den Sumpfgenden ist „für die Katz.“ Was es hier und da, wo der psäffische Einfluß noch überwiegend ist, gelingen, für eine Weile die Vernunft zurückzudrängen, — aber sich dergleichen Träumen in New-York hinzugeben, ist lächerlich. Wir haben Semmergärten und Sommertheater, aber noch lange nicht genug. Dampfboote und Eisenbahnen müssen Sonntags erst Tausende hinaustragen in's Freie; Musik und Tanz unter grünen Bäumen müssen ertönen, wohin man sich wendet, überall Lust und Leben und Freude, und dann ihr Herren Wassersimpel, steckt eure Nasen in die Schnappspiefunken, die euer frommes Herz jetzt so erzittern machen; ihr werdet sie leer finden; aber nicht früher.

Aus dem New-York Express vom 31. Mai.

Die deutsche Presse über Sonntagsgesetze.

Der „Demokrat“ spricht von den Fröschen, welche den Polizeicommissären ein Memorandum gegen den Verkauf von beraushenden Getränken am Sonntag überreicht hätten, und ist sehr entrüstet darüber, daß auch „zwei deutsche Frösche“ mit dabei gewesen seien &c. (Hierauf folgen mehrere Stellen aus dem Artikel im „Demokrat.“) Schließlich heißt es:)

„Solch' gemeines Geschwätz ist die Antwort auf eine Petition, die nichts gegen Sonntags-Erholungen, gegen einen Ausflug auf's Land &c. enthält, und hauptsächlich gegen Trunkenheit und Verletzung des Gesetzes am Sonntag gerichtet ist, wodurch der Mensch sittliches, geistliches, körperliches oder persönliches Wohlfühlen nicht im geringsten gefördert, sondern nur Schaden angerichtet wird. Wir wissen sehr wohl, daß

Sittenverbesserer die Sache in's Extrem treiben können, aber wenn sie das nicht thun, sondern bloß begehren, was recht ist, so sollte die deutsche Presse, anstatt ihre wohlthätigen Bestrebungen zu verdächtigen und zu lästern, ihnen vielmehr helfen und sie segnen."

Aus der New-York Times vom 1. Juni.

Die Deutschen und der Sonntagshandel mit berauschenden Getränken.

Mit Bedauern nehmen wir wahr, daß die „Staatszeitung“ und noch ein oder zwei andere deutsche Tagesblätter ihre Leser in Betreff des Zweckes irre führen, den die Petitionen gegen den Sonntagshandel mit berauschenden Getränken erstrebt. Keine neuen Gesetze werden darin begehrt. Keine alten längst abgekommnen Gesetze werden aus dem Staube hervorgehohlet, um wieder in Kraft gesetzt zu werden. Alles, was von den Polizeicommissären verlangt wird, ist die feste, geduldige Ausführung von Gesetzen und Verordnungen, die unter der städtischen Verwaltung von Mayor Wood im Jahr 1855, sowie durch die Gesetzgebung von 1857 erlassen worden sind, und auch das nur nach vorgängiger Warnung derer, welche sie bisher übertreten haben.

Es ist also kein Kreuzzug der Mäßigkeitsvereine gegen die Branntwein-Verkäufer, sondern das besonnene Begehren, gegen den ungesetzlichen und unsittlichen Sonntagshandel Schutz zu erhalten. Und diese Forderung geht aus von einer Anzahl unserer conservativen Bürger, die über die Zunahme der Steuern, sowie der Armuth und des Verbrechens, die nachweisbar mit dem Sonntags-Feiern Hand in Hand geht, gerechte Besorgniß empfinden.

Auch ist es keine von amerikanischen Bürgern gemachte Bewegung zu dem Zwecke, die Rechte fremdgeborner Bürger zu verkürzen und ihr Wohlsein zu stören. Die Ueberreichung der englischen Petitionen von Seiten einflußreicher Abgeordneten, mit Hrn. Perit an der Spitze, geschah gleichzeitig mit der Ueberreichung einer deutschen Petition, unter der zahlreiche und achtbare Namen standen, von Seiten deutscher Abgeordneten, mit Hrn. Möller, einem wohlhabenden Zuckerfabrikanten, an der Spitze. Tausende unserer deutschen Mitbürger empfinden das Schädliche und Schändliche des Sonntags-Feierns eines Theiles ihrer eingewanderten Landleute eben so tief und schmerzlich wie irgend ein Amerikaner. Wir sind glaubhaft versichert worden, daß, wenn nöthig, es ganz leicht gewesen sein würde, tausende von deutschen Namen vorzulegen, die gegen diesen, ihren Nationalcharakter entehrenden, unsittlichen und verderblichen Handel Widerspruch thun. Treue gegen das Gesetz ist ein wesentlicher Zug im deutschen Charakter. Wenn es daher allgemein bekannt wird, (wie es denn endlich bekannt werden muß,) daß die am Sonntag geöffneten Lagerbier-Theater, Tanzsäle und ähnliche Orte, wo Verbrechen und Uebelthaten befördert werden, zugleich durch die Gesetze unseres Staates und die öffentliche Meinung unserer Stadt geachtet sind, so werden die Deutschen in dem Streben, die Obrigkeit zu unterstützen, selbst voranzugehen. Sie werden ihr helfen, daß der Selbstsucht und Unordnung der wenigen Tausende unter ihnen, welche die Habe unserer deutschen Mitbürger verprassen und ihren guten Namen schänden, endlich Schranken gesetzt werden.

Die Organe der deutschen Presse in New-York werden wahrlich die Interessen des deutschen Stammes, den sie vertreten, nicht befördern, noch dessen Einfluß verstärken, wenn sie durch heftige Anrufe die Vorurtheile unfundiger Leser gegen das entschlossene Streben der öffentlichen Meinung New-York's in deren heftigen Tendenzen aufzuheben. Mit den deutschen Ansichten von der Sonntagsfeier im Allgemeinen haben wir nichts zu thun. Wir erlauben uns keine pharisäische, wegwerfende Beurtheilungen der Sitten, durch welche sich der deutsche Sonntag von dem englischen und amerikanischen so auffallend unterscheidet. Verschiedene Volksstämme mögen immerhin in diejen, wie in so manchen anderen Punkten des äußeren Gottesdienstes und der theologischen Lehrauffassung sich von einander unterscheiden. Aber es stimmt sehr wohl mit der ausgedehnten Duldsamkeit, daß wir darauf bestehen, alle Classen des Volkes sollen den Gesetzen gehorchen, die von den Abgeordneten der gesammten Bevölkerung erlassen worden sind. Die Minderheit, die es wagt, durch trotigen Widerstand die Diener des Gesetzes von der Erfüllung ihrer Pflicht abzuhalten und somit die bestehenden Ordnungen der städtischen Regierung zu nichte zu machen, kann mit einem ebenso großen Rechte eines übermüthigen Starrsinns beschuldigt werden, als die Mehrheit, welche jene Ordnungen aufrecht erhält. Lagerbier-Fanatismus verdient gewiß keine höhere Achtung als Kaltwasser-Fanatismus. Wenn daher unsere deutschen Zeitungen wirklich meinen,

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daß die Mäßigkeitmänner ihnen zu nahe treten, so können sie schwerlich von uns begehren, daß wir ruhig zusehen, wie sie die Landesgesetze verächtlich mit Füßen treten.

Aus dem Courier and Equirer vom 31. Mai.

Der New-Yorker Sonntagshandel mit berauschenden Getränken.

Wir freuen uns, daß ein so kräftiger und ernstlicher Schritt gethan worden ist, um die Metropolitan-Polizeicommissäre zur Handhabung der Gesetze gegen den Sonntagshandel mit berauschenden Getränken zu bringen. Dieser Handel bringt beinahe, oder völlig, so viel Trunkenheit zuwege, als an den sechs übrigen Tagen der Woche zusammen vorkommt. Er verkehrt Tausenden ihren Ruhetag in einen Tag der Schwelgerei mit Glend, Laster und Verbrechen im Gefolge. Besonders schweren Schaden thut er den ärmeren Classen, die an diesem ihrem einzigen Ruhetage um so größeren Versuchungen ausgesetzt sind. Viele zwar gehen in den Tempel Gottes, Andere auf's Land in's Grüne; aber wer, der die Straßen unserer Stadt in der Sonntag-Mitternacht beobachtet hat, weiß nicht, daß Unzählige sich alsdann einem so wüthen Saufen und Schwelgen hingeben, wie sich's nur in der Dunkelheit der Nacht zu zeigen wagt. Dort taumelt Einer allein dahin, der wie ein Blödsinniger fafelt, und Flüche gegen sich selbst nebst Kästereien ausstößt — Gebete, wie sie zu seiner heute geübten Religion passen. Andre ziehen in toller Ausgelassenheit hanfenweis daher und bieten göttlichen und menschlichen Gesetzen zugleich Trotz. Es ist traurig, aber wahr, daß der Tag, welcher eigends für Religionsübungen bestimmt ist, mehr als alle andern zu trunkenem Lärm und Ausschweifung mißbraucht wird.

Verhandlungen der Polizei-Commissäre.

In der Versammlung der Polizei-Commissäre, am Freitag, den 8. Juli 1859, da alle Mitglieder zugegen waren, überreichte Richter Mlshöffer folgenden Bericht, in Bezug auf die Ausführung der Sonntagsgesetze:

Die Gesetz- und Ordinance-Committee, nach Berücksichtigung der Petitionen für und gegen die Aufrechthaltung der bestehenden Sonntagsgesetze, kam zu den folgenden Beschlüssen:

1. Diese Behörde, zufolge ihrer Organisation, ist verpflichtet, die bestehenden Gesetze aufrecht zu erhalten, da es ein wohlverstandenes Prinzip ist, daß die verwaltenden Behörden nicht die Ausführung eines Gesetzes unterlassen können, aus dem Grunde, weil es zweifelhaft ist, ob es nicht dem Geiste der Constitution zuwider ist.

2. Die christliche Religion ist diejenige, welche seit der Ansiedlung des Landes existirt hat, und gegenwärtig in diesen Vereinigten Staaten besteht und anerkannt ist bei der Masse des Volkes, aus verschiedenen Religions-Verfassungen bestehend, welche beinahe alle den christlichen Sabbath als einen Bestandtheil ihrer Religion betrachten.

3. Die höchsten Gerichtshöfe betrachten die christliche Religion als die im Lande herrschende, und die Beschützung der Rechte aller übrigen Religionen muß jederzeit die Prinzipien, Grundsätze und Gesetze der ganzen christlichen Gemeinschaft vorzugsweise und in voller Kraft bestehen lassen.

4. Das wahre Prinzip der Religionsfreiheit erlaubt nicht den kleinsten Theilen der Bevölkerung die große Masse des Volkes aufzufordern, die Aufrechthaltung der Sonntagsgesetze aufzugeben, welche seit der Ansiedlung des Landes bestanden haben.

5. Die gegenwärtige Nichtachtung der Sonntagsgesetze, hauptsächlich öffentliche Schaustellungen am Sonntage, und der Verkauf von Getränken und andern Sachen, sollte, so weit es das Gesetz erlaubt, durch die ganze Polizei und durch den Magistrat verhindert werden.

6. Die Gesetze des Landes, welche mit der öffentlichen Meinung des Volkes in Bezug auf moralische Prinzipien und Grundsätze, und über die Bekräftigung der Auctorität an irgend einem Tage der Woche übereinstimmen, müssen nicht außer Acht gesetzt oder widerrufen werden, wegen besonderer moralischer Meinungen von Heinen Gemeintheiten des Volkes.

Der Bericht wurde einstimmig angenommen. — Ein allgemeiner Befehl wird wahrscheinlich heute von dem General-Superintendenten an die Polizei gegeben werden, darauf zu sehen, daß alle Orte, wo Getränke verfanft werden, und alle Theater am nächsten und allen folgenden Sonntagen geschlossen werden, und alle Eigenthümer solcher Plätze, welche sich weigern, dem-Gesetze Folge zu leisten, zu verhaften.

Die New-Yorker Sabbath-Committee besteht aus folgenden Männern:

Henry T. Baker,	Thomas C. Doremus,	Norman White, Vorsteher.
G. L. Beale, M.D.,	C. L. Faucher,	Wm. A. Smith,
Nathan Bishop,	Fred. G. Foster,	William Truölrow,
William H. Booth,	David Hoables,	W. F. Van Wageningen,
Robert Carter,	Horace Holden,	William Walker,
Warren Carter,	John E. Parsons,	F. S. Winston,
James W. Beckmann, vretoc. Sect.,		H. C. Wood,
J. M. Morrison, (Cassirer der Manhattan Bank) Schatzmeister		Russell S. Cook, corresp. Sect.

Die

Deutsche Versammlung

zur Förderung der

 hristlichen  onntagsfeier,

gehalten

im Cooper Institut zu New-York,

am Sonntag Abend, den 16. Oktober 1859.

Mit den Reden von Past. Guldin, Dr. Adams, Prof. Dr. Schaff, Prof.
Hitchcock, Dr. Spring, und den Beschlüssen der Versammlung.

Herausgegeben von der New-Yorker Sabbath-Committee.
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Förderung der christlichen Sonntagsfeier,

gehalten im Cooper Institut zu New-York,

am Sonntag Abend, den 16. October 1859.

Die deutschen Bürger von New-York sind häufig, sowohl in englischen als deutschen Tagesblättern, als Gegner der Sonntagsfeier und der darauf bezüglichen Gesetze, die den Sonntag als einen der Ruhe und Andacht gewidmeten Tag in Schutz nehmen, dargestellt worden. Behufs der Abwehr dieser ungerechten Beschuldigung ward auf Sonntag Abend, den 16. October, eine öffentliche Versammlung von Deutschen im Cooper Institut angekündigt, in welcher die Ehre des deutschen Namens gerettet und von der Achtung, die auch der Deutsche dem Tage des Herrn zollt, ein Zeugniß abgelegt werden sollte. Die Verhandlungen dieser ersten, je in deutscher Sprache gehaltenen volksthümlichen Versammlung zur Förderung der Sonntagsfeier haben gerechten Anspruch auf allgemeine Bekanntwerdung und bleibende Aufbewahrung, und sind deshalb in dieser Schrift vollständig aufgezeichnet.

Obgleich die Versammlung nur durch kurze und schlichte Anzeige angekündigt war, und in manchen deutschen Kirchen zur gleichen Stunde Abendgottesdienst gehalten wurde, so waren doch die weiten Räume des Cooper Instituts um sieben Uhr von einer ansehnlichen Menschenmenge gefüllt, die fast ausschließlich aus Deutschen bestand. Die Zahl der Versammelten wurde von einigen auf 1500, von Andern auf 2000 geschätzt. Hunderte von Amerikanern, die aus Neugierde ebenfalls herzukamen, kehrten wieder um, als sie am Eingang erfuhren, daß die Verhandlungen in einer ihnen unbekanntem Sprache stattfinden würden. Fast alle deutschen Prediger der Stadt und nächsten Umgebung, gegen 25, nebst vielen einflussreichen deutschen Kauf- und Geschäftsleuten befanden sich auf der Plattform. Außerdem hatten sich viele der ältesten und angesehensten amerikanischen Prediger eingefunden, um ihre Theilnahme für den Zweck und die Tendenz der Versammlung an den Tag zu legen. Namentlich sah man die Doctoren der Theologie Spring, Adams, Potts, Hitchcock, Skinner, Prime und Owen. Auch manche geachtete Laien waren zugegen, wie die Herrn Wetmore, Hartley, Booth (Präsident der Am. Exchange Bank), Hoadley (Präsident der Panama Eisenbahn-Gesellschaft), Doremus, White, Truslow, Wood und Andere. Gouverneur Ellsworth von Connecticut war ebenfalls auf der Plattform.

Herr Gustav Schwab, Sohn des berühmten deutschen Dichters, und Mitglied der Firma Delrichs und Comp., führte den Vorsitz. Nachdem das Lied gesungen war: „Dies, Christen, ist der Tag des Herrn,“ verlas Pastor Garlicks von Brooklyn mit feierlichem Nachdruck die zehn Gebote und hielt darauf ein passendes Eingangsgebet.

Pastor J. C. Guldin, seit siebenzehn Jahren Prediger an der deutschen Missionskirche in der Houstonstraße (in Verbindung mit der niederländisch reformirten Synode) hielt hierauf folgende Rede:

Rede

von

Pastor Guldin,

Prediger der Deutschen Evangelischen Missions- (Niederländisch-Reformirten) Kirche von New-York.

„Gnade sei mit euch, und Friede von Gott, unserm Vater, und dem Herrn Jesu Christo.

Ungewöhnliche Freude gewährt es mir, bei einer solchen Gelegenheit eine solche Zahl der deutschredenden Bevölkerung unserer Stadt hier versammelt zu sehen. Mit Recht ist uns der deutsche Name ehrwürdig, und mit Recht freuen wir uns darüber, wenn deutscher Einfluß das wahre religiöse und sittliche Wohl des Landes begünstigt. Gleich dem deutschen Forschungsgeist und der deutschen Wissenschaft steht auch deutsche Religiosität, wo sie eine biblische ist, an Tiefe und Ernst der keines andern Volkes nach; und wie könnten wir anders als uns freuen, wenn wir eine solche Menge der Söhne und Töchter Deutschlands diesen Abend hier sehen — hier, wo sie mit ihrer Gegenwart einer tiefen und ernstern Sache, der heiligen Religion, das Wort reden! Ein Beweis ist es, daß frommer Sinn, Ehrfurcht vor dem Heiligen, und Liebe für Jehovahs Stiftungen unter ihnen nicht erloschen, und daß Gott noch ein großes deutsches Volk in dieser Stadt habe, welches seine Kniee vor Baal nicht beugt — ein Volk, das dem deutschen Vaterlande und dem Lande seiner Adoption Ehre macht.

Deffentlich wollt ihr, trotz des spottenden Frevels der Bibelseinde, zu erkennen geben, daß ihr Gott mehr als Menschen gehorchen, und daß ihr des Herrn Tag, den man euch wegzunehmen beflissen ist, heilig halten wollt.

Lange genug — zu lange, in der That, habt ihr stille geschwiegen, während eine gewisse Klasse der Deutschen den Sabbath ohne Maß entheiligte und beschäftigt war, wie sie es noch ist, wenn möglich, denselben auszutilgen. Lange genug schien es, als ob deutscher Unglaube, durch seine Aeußerungen in der Entheiligung des Sonntages, Alles mit sich fortreißen wollte, und als ob nur wenig Frömmigkeit unter den Deutschen hier übrig geblieben wäre. Lange genug wurde durch das Benehmen jener Klasse der Eindruck auf das amerikanische Publikum gemacht, als ob die Deutschen am Tage des Herrn sich um nichts als sinnliche Belustigung kümmerten.

Gewiß ist es Zeit, daß die bessergesinnten Deutschen (Gott sei Dank, daß sie an Zahl noch das Uebergewicht haben) wie ein Mann sich aufmachen und, als die Zeugen des Herrn, den Tag Gottes zu retten und zu erhalten sich vereinigen. Sie sind sich's selber schuldig — ihr guter Name erheischt es. Sie sind's ihren Familien schuldig: — Weiber und Kinder müssen nothwendig mehr und mehr unbeschreiblich in Folge der immer zunehmenden Sabbathentheiligung leiden. Sie sind es dem Reiche Gottes schuldig. Der Sabbath ist innig mit dem Fortbestande und Gedeihen des Reiches Gottes verknüpft. Er ist der Kirche und den Gläubigen, wie einst den Kindern Israels die Bundeslade, ein heiliges Kleinod. Und dies ist den Ungläubigen wohl bewußt, und daher kommt es, daß sie den Tag des Herrn so gerne aus dem Wege räumen wollen.

Frägt Jemand: „Ist eine solche Versammlung wie diese nöthig? Ist der Tag des Herrn wirklich in Gefahr?“ so erwiedern wir: Gefahr, daß uns der Sabbath genommen werden könnte, freilich nicht — denn Gott wird nie seine eigenen Stiftungen seinem Volke entreißen lassen. Wenn auch eine Zeitlang der Unglaube einen scheinbaren Sieg erhält, so spricht doch Gott: „Bis hieher und nicht weiter!“ Allein, wer will es in Abrede stellen, daß es der Christen heilige Pflicht ist, mit allem Ernst da aufzutreten und ihren Einfluß geltend zu machen, wo auf eine mehr als gewöhnliche Weise der Unglaube in seinen verschiedenen Formen der christlichen Glaubens- und Sittenlehre entgegentritt? Sind Christen „das Licht der Welt“ und „das Salz der Erde,“ so sollen sie da ihr Licht nicht unter einen Scheffel setzen, wo Finsterniß das Licht verdrängen will, und da das Salz nicht in ein Gefäß einschließen, wo Fäulniß jedem nützlichen und nothwendigen Subsistenzmittel droht. — Wer will es leugnen, daß gerade in unserer Zeit, und gerade unter der deutschen Bevölkerung unserer Stadt, der Unglaube seine Stirne auf eine freche Weise zeigt und seinen Frevel auf die höchste Stufe treibt, um Bibelreligion und mithin Gottes heiligen Tag zu stürzen? Wem blutet nicht das Herz, wenn er nicht nur wahrnimmt, wie am Sabbathtage in Volksgärten, Theatern, niedrigen Bierkneipen, sich die äußerste Gottvergessenheit zeigt, nicht nur, wie in Groceries und Braantweinschenken gekauft und verkauft wird, sondern wenn man noch dazu hört und liest, wie man darauf ausgeht, die Sonntagsgesetze wirklich aus dem Wege zu räumen!

Die Wahrheit ist: man will gar keinen Sabbath haben. Er soll ganz ausgetilgt werden. Dies ist eine in der Geschichte der Kirche bisher ganz unerhörte Sache. Von einem Beispiele lesen wir, da man den zehnten statt des siebenten als Sonntag einsetzte. Es war während des letzten Jahrzehnts des vorigen Jahrhunderts, welche Periode uns bekannt ist als die „Schreckenszeit“ in Frankreich. Eine furchtbare Zeit war es — eine Zeit, da man lehrte: der Name Vater, Mutter, Bruder, Schwester, Ehegatte und Ehegattin sei weiter nichts als Pfaffenstrug; da man behauptete: Jedermann sei sein eigener Gott und sein eigener Gesetzgeber; da man das Christenthum austilgen und die letzte Bibel verbrennen wollte; da Dupont, wie es der Unglaube in dieser Stadt will, Schulen zur Erziehung der Jugend, ganz auf atheistischen Grundsätzen beruhend, das Wort redete, in welchen also keine Bibel und kein Christus sein sollte; eine Zeit, da man über die Thüren an den Gotteshäusern und Gottesäckern schrieb: Der Tod ein ewiger Schlaf; da man ausrief: keine Gottheit als die Freiheit, keine Anbetung als das Vaterland, und kein Evangelium als die Constitution; da man ein halbnacktes, buhlerisches Weib als Göttin der Vernunft auf den Altar der Pariser Cathedrale stellte und ihr die Verehrung zollte, die man dem Schöpfer versagte. Von Leuten, die solche Dinge anstifteten, von einem Robespierre, Marat, Dupont und Thomas Paine ist es freilich nicht zu verwundern, daß sie keinen ernstern, heiligen Sabbath haben mochten. Doch wollten sie noch den zehnten Tag als Sonntag, freilich nur als einen Tag sinnlicher Freude, gelten lassen. Gar keinen Sonntag haben zu wollen — alle Sonntagsgesetze zu beseitigen, blieb übrig für das neunzehnte Jahrhundert, für unsere Stadt und für eine gewisse Zahl deutlicher Ungläubigen.

Man sieht hier leicht ein, wie ähnliche Elemente ähnliche Frucht erzeugen, dort in Frankreich und hier. Und sieht man nicht hier leider schon zu viele reife Früchte davon? Und dabei dürften Christen gleichgültig bleiben? Christen sollten nicht vereint wirken — nicht durch den Gebrauch jedes geheiligten Mittels und mit Gebet die Bundeslade der Philister Händen entreißen? —“

Am Schluß dieser Rede erscholl der tausendstimmige Gesang des schönen Liedes von Tholuck, welches der kürzlich erschienenen, von Professor Schaff bearbeiteten Sammlung deutscher Kirchenlieder entnommen war.



Sonntagslied von Prof. Dr. A. Tholuck.

Mel.: Wie schön leuchtet der Morgenstern.

- | | |
|--|--|
| <p>1. O Sabbath, den der Herr gemacht,
Damit Er gnädig uns bedacht,
Erquickungstag der Frommen,
Wo in's Getümmel dieser Welt
Ein Strahl des ew'gen Sabbath's fällt
In dem ich einst soll kommen!
Ja ich Will mich Hier schon legen
An den Schätzen Deiner Stille
Bis zur ew'gen Sabbathfülle.</p> | <p>3. Als Du zulezt den Menschensohn
Der Schöpfung aufgesetzt als Kron',
Als in der Morgenstille
Die Welt nun fertig vor Dir lag,
Kein Mensch ist, der zu sagen wag'
Von Deiner Barmhertzigkeit.
Waltet, Schallet, Feierklänge,
Festgesänge, Denn den Frieden
Hat Er heut auch mir beschieden.</p> |
| <p>2. Wie hehr und heilig ist die Ruh'
Welch' stilles Friedensfest, dazu
Der Herr uns hat geladen!
Den Frieden, den Er selbst genehnt,
Er heut uns wie ein Meer erschlenkt,
Ein Seelenbad der Gnaden.
Selig Tauch ich Darin unter,
O wie munter Geht zum Werke,
Wem dieß Seelenbad gab Stärke!</p> | <p>4. Und diese schöne Gotteswelt,
Ich hab' so schmählich sie entstellt,
Ich, Deiner Schöpfung Krone.
Du aber, Wunderliebe Du,
Gibst Deine Auferstehungsruh'
Dafür mir nun zum Lohne.
Hente, Hente, Schickt die Sinnen
Ganz nach innen, Alles Denken
Müß' in Jesu Ruh' sich senken!</p> |
| <p>5. Im Glauben jetzt mein Herz empfäht
Die Ruh', die mir herüberweht
Vom Auferstehungsmorgen;
Und seh ich Ihn dann, wie Er ist,
Bleib, wenn Er mich in's Herze schließt,
Ich ewig drin geborgen.
Deine Reine Sabbathstille,
Herr, mich fülle Mit dem Frieden
Den Du dreifach mir beschieden!</p> | |

Pastor W. Adams, Dr. der Theologie und Prediger der presbyterianischen Gemeinde in Madison-Square, hielt darauf in englischer Sprache eine Rede folgenden Inhalts:

Rede

von

Pastor W. Adams,

Doktor der Theologie und Prediger der presbyterianischen Gemeinde in Madison Square, New-York.

„Es erfüllt mich mit herzlichster Dankbarkeit gegen Gott, hier eine so große und achtbare deutsche Versammlung vor mir zu sehen und anreden zu dürfen. Wenn ich umherblicke und erwäge, daß sie die freie Kundgebung der Gesinnung meiner deutschen Mitbürger und ein schlagendes Zeugniß ihrer Hochachtung für den christlichen Sabbath ist, so vermag ich kaum Worte zu finden, die meine Theilnahme und Freude genugsam ausdrücken.

Als ich eurem Gesange lauschte, der so hell und lebensvoll erklang, wie man es nur von Deutschen vernehmen kann, kam mir das Bild eines Sonntags wieder vor die Seele, den ich vor fünfzehn Jahren in Deutschland erlebt. In gleicher Weise wie jetzt, hörte ich da in den Räumen einer alten Domkirche alle Versammelten, Männer, Weiber und Kinder, in vollem Ton den Vater im Himmel loben. Es gereicht mir zu herzlichster Freude, meine deutschen Brüder als Mitkämpfer für eine so heilige Angelegenheit, wie die Sache des Sonntags ist, zu begrüßen. Während von mancher Seite die Deutschen angesehen und behandelt worden sind, als habe man von ihnen nur Widerspruch und Abneigung gegen unsere Sonntagsfeier zu erwarten, so beweiset ihr jetzt, daß ihr den Sonntag liebt und ehrt. Dafür loben wir Gott und fassen im Blick darauf neuen Muth. Wir sind alle Glieder Einer großen Familie, und, insofern wir demselben Lande und Staatsverbande angehören, sind wir gleichsam Reisegefährten, die, wenn auch gleich aus verschiedenen Ländern kommend, sich auf Einem Fahrzeug eingeschifft haben. Da muß denn jedem Theile die Freiheit zustehen, seiner Sitte und Weise gemäß sich einzurichten, und insofern etwas zu berathen ist, was Alle angeht, muß dies friedlich und gütlich geschehen. Sollte aber jemand von der Schiffs-gesellschaft ein Loch in den Kielraum gebohrt haben, so werden diejenigen, welche ihn bisher als ihren Landsmann und Freund ansahen, ebenso bereit sein, als alle Andern, ihm zu wehren und das Loch wieder zu verstopfen.

Es ist etwas Schönes, zu einem so großen und herrlichen Zwecke, wie derjenige, den wir jetzt im Auge haben, zusammenzukommen. Gestattet mir aber bei dieser Gelegenheit die Bitte an meine deutschen Brüder im Predigtamt, daß wie wir jetzt sie besuchen, sie auch öfters in unsre Kirchen kommen und unsre Gemeinden anreden mögen; ich meinestheils werde sie mit Freuden auf meiner Kanzel sehen. Wenn wir durch gegenseitigen Gedankenaustausch einander besser kennen lernen, so werden wir Einer vom Andern manches Gute annehmen, Vorurtheile dagegen und Einseitigkeiten ablegen, und so mit einander zur Ausbreitung unsers gemeinsamen christlichen Glaubens immer kräftiger zusammen wirken.“

Professor Philipp Schaff, Doktor der Theologie und Lehrer am theologischen Seminar zu Mercersburg in Pennsylvanien, hielt jetzt folgende Rede, bei der die Versammlung lauschend an seinen Lippen hing, und häufig ihre Uebereinstimmung mit dem, was er aussprach, äußerte:

R e d e

von

Professor Dr. Philipp Schaff,

aus Mercersburg, Pennsylvanien.

„Herr Präsident!

Verehrte Versammlung!

Meine Erscheinung unter Ihnen bedarf keiner Rechtfertigung. Als ich vor ein paar Wochen von deutschen und englischen Freunden in New-York eingeladen wurde, vor einer deutschen Versammlung zur Förderung der christlichen Sonntagsfeier eine Rede zu halten, konnte ich über die Annahme dieses unerwarteten Rufes keinen Augenblick zweifelhaft sein. Es handelt sich hier um eine heilige Angelegenheit, um eine brennende Lebensfrage, welche seit einiger Zeit fast alle größeren Städte Amerika's, vor allem aber New-York und Philadelphia, aufgeregt hat und mit den theuersten Interessen der öffentlichen Sittlichkeit und Religion, mit der wahren Wohlfahrt unseres Adoptiv-Vaterlandes und mit der Ehre des deutschen Namens aufs innigste verknüpft ist. Zur Wahrung und Förderung dieser Güter einen Beitrag zu liefern, halte ich für meine Pflicht, für ein Vorrecht und eine Ehre. Freilich, wenn es sich bloß um den Namen des Sabbath's oder Sonntags — wir brauchen diese Ausdrücke hier gleichbedeutend — oder auch um die Differenz zwischen der anglo-puritanischen und der deutsch-evangelischen Sonntags-Theorie und Praxis handelte, so wäre ich zu Hause geblieben. Aber es handelt sich hier um Sein oder Nichtsein, um die Erhaltung eines Segenstages oder die Einführung eines Fluchtages. Der Sonntag — das bitte ich hier gleich von vorn herein zu bedenken — ist in diesem amerikanischen Freistaatenbunde, wo der Bestand der christlichen Kirche nicht auf Staatszwang, sondern auf dem freien Volkswillen, auf der Macht der öffentlichen Meinung und Sitte ruht, ein Kollektiv-Name für alle Einrichtungen der christlichen Kirche und Funktionen des öffentlichen Gottesdienstes, eine Garantie für die positive Ausübung der uns durch die Landesgesetze gewährten Glaubens- und Kultusfreiheit, ein mächtiges Bollwerk um das Heiligthum der Familien und der Gotteshäuser, und ein wöchentlicher schlagender Beweis vor der ganzen Welt, daß das amerikanische Volk, trotz der Trennung von Kirche und Staat, ein gottesfürchtiges und christliches Volk ist und bleiben will.

Die Veranlassung zu dieser Versammlung ist Ihnen Allen bekannt und braucht nicht erst auseinandergesetzt zu werden. Sie ist nicht eine willkürliche und unberufene Veranstaltung einiger New-Yorker Sonntagsfreunde. Sie ist ein Bedürfnis, eine Pflicht, eine Nothwendigkeit. Die deutschen Sabbathschänder, angeführt von einigen charakterlosen amerikanischen Politikern, welche unsere Landsleute gerne, wie die Irländer, als Werkzeuge für ihre miserablen Zwecke mißbrauchen möchten, aber zum Glück nicht können, haben ihrem bitteren Haß gegen die Sonntagsgesetze und gute Sitte des Landes und gegen das Christenthum selbst mitten unter Tabaksqualm und trunken von Lagerbier-Begeisterung, bis zur Verletzung der allgemein-menschlichen Gesetze der Würde

und des Anstandes, freien Lauf gelassen und dadurch ihrer eignen schlechten Sache, nach dem einstimmigen Zeugniß der englischen Presse, so sehr geschadet, daß wir schon deshalb aller weiteren polemischen Rücksicht überhoben sind. Wir sind überhaupt nicht zusammengekommen, um unsere Gegner zu bekämpfen, sondern um einfach unserer eignen Ueberzeugung einen öffentlichen Ausdruck zu geben und unsern amerikanischen Landsleuten einen faktischen Beweis zu liefern, daß es zwei ganz verschiedene Klassen von Deutschen gibt, welche in dieser socialen Lebensfrage wie Feuer und Wasser, wie Licht und Finsterniß, wie Christus und Belial sich gegenüberstehen.

Und zwar glaube ich zuversichtlich behaupten zu dürfen, daß wir als Vertheidiger des göttlich eingesetzten Ruhetages nicht nur die große Majorität der anglo-amerikanischen Bevölkerung, von Maine bis Florida, von New-York bis San Francisco, sondern bei weitem den besseren Theil der eingebornen und eingewanderten Deutschen selbst auf unserer Seite haben. Zum Beweise dafür kann ich mich getrost berufen auf die mir sehr wohl bekannte deutsche Landbevölkerung, die zu den ruhigsten, fleißigsten und nützlichsten Bürgern Amerika's gehört, sowie auf die vielen hunderte von kirchlichen Gemeinden, lutherischer, reformirter, evangelischer und anderer Konfession, die über fast alle Staaten dieser unermesslichen Union zerstreut sind und sich mit jedem Jahre vermehren. Aber es genügt, auf die gegenwärtige Versammlung deutscher Sonntagsfreunde hinzuweisen, deren imposante Größe und würdige Haltung unsere Erwartungen weit übertrifft und unser Herz mit Dank und Freude erfüllt.

[Hier wandte sich der Redner in englischer Sprache an Rev. Dr. R. S. Cook auf der Plattform, mit den Worten: Erlauben Sie mir die Frage, wie viele Personen mögen wohl in dieser großen Halle anwesend sein? Darauf antwortete Dr. Cook: Der Gründer dieses Institutes, Herr Cooper, sagte mir, daß die Halle im Ganzen zweitausend Sitze, mit Einschluß von zwei hundert Stühlen auf der Plattform zähle, und da die Sitze fast alle besetzt sind, so müssen hier, nach der geringsten Zählung, wenigstens fünfzehn bis sechszehn hundert Menschen anwesend sein. Darauf wandte sich Dr. Schaff, ebenfalls in englischer Sprache, an die auf der Plattform befindlichen amerikanischen Prediger und Laien mit der Bemerkung: Sie sehen also, wir Deutsche können auch eine Massen-Versammlung, und zwar zur Förderung der Sonntagfeier, halten. Wir können unsere Gegner selbst mit der Zahl schlagen; wir haben die Majorität auf unserer Seite. Ich bitte Sie, dieses nicht zu vergessen, und weit und breit bekannt zu machen.]

Dann fuhr Dr. Schaff in seiner deutschen Rede fort.]

Also beinahe zwei tausend und noch dazu meist eingewanderte Deutsche, wie man schon aus dem fast einstimmigen und erhebenden Gesang unserer herrlichen deutschen Choräle schließen muß! Wahrlich, das ist die größte deutsche, ja sogar die zahlreichste englische Versammlung zu Gunsten der Sonntagfeier, die wenigstens ich bis dahin in Amerika oder Europa gesehen habe. Allein wir haben, außer der Majorität, auch die Autorität, die in solchen sittlichen Fragen besser ist; wir haben die Bibel; wir haben die Landesgesetze und die mehr als zweihundertjährige, durch die gesegnetsten Folgen bewährte Landesitte; wir haben die heilige Sache der öffentlichen Ordnung, der öffentlichen Sittlichkeit, der nationalen Wohlfahrt, kurz, wir haben göttliches und menschliches Recht auf unserer Seite. Mit solchen Bundesgenossen dürfen wir wohl den Kampf wagen und des endlichen Erfolges gewiß sein, eingedenk der alten Losung: „Mit diesem Zeichen wirst du siegen!“

Ich rede zu Ihnen nicht als Puritaner, obgleich ich gerne bekenne, vor dem Puritanismus, als einer der großartigsten Erscheinungen der Welt- und Kirchengeschichte, einen tiefen Respekt zu haben, sondern als deutscher Theologe; nicht als Vertheidiger eines ängstlichen jüdischen Sabbathismus, sondern einer freien christlichen Sonntagsfeier. Ich rede aber auch zu Ihnen nicht als ein Abkömmling von Monarchieen, sondern als ein geborner Republikaner — denn ich bin von Haus aus ein Schweizer — und als Freund der amerikanischen Glaubens- und Kultusfreiheit.

Also vom deutschen und republikanischen Standpunkte aus ergreife ich heute das Wort zu Gunsten der physischen, der sittlichen und der religiösen Nothwendigkeit des Sonntags, als eines Tages der Ruhe, der Zucht und des Segens für den Einzelnen, die Familie und den Staat.

[Dieses Thema wiederholte der Redner, auf einen Wink hin, in englischer Sprache für die anwesenden Berichterstatter der englischen Zeitungen, mit der Bemerkung, daß sie sich mit der Angabe desselben begnügen möchten, wenn sie sonst nichts von der Rede verstehen sollten.]

I.

Der Sabbath oder Ruhetag ist seinem Wesen und seiner Idee nach älter, als die mosaische Gesetzgebung und als das Judenthum. Er geht, wie die Einsetzung der Ehe und das Institut der Familie, zurück bis auf den Anfang des menschlichen Geschlechtes, bis in die Pforten des Paradieses der Unschuld: er ruht auf der ursprünglichen Schöpfung und auf dem Wesen des Menschen, als eines sinnlich-vernünftigen Erdenwesens. Darum weist auch das vierte Gebot auf diesen Ursprung zurück mit den bekannten Worten, welche das Gebot begründen: „Denn in sechs Tagen hat Gott der Herr Himmel und Erde gemacht und das Meer und Alles, was darinnen ist, und ruhet am siebenten Tage. Darum sequete der Herr den Sabbathtag und heiligte ihn.“ Das ist natürlich nicht so zu verstehen, als ob Gott von da an aufgehört habe zu schaffen und zu wirken; es ist nicht die Ruhe des Nichtsthuns, sondern die Ruhe der Vollendung, des Segens und seligen Genusses gemeint. Gott hat, das ist der Sinn dieser populären Ausdrucksweise, am Schlusse seiner ersten Offenbarung nach außen hin seine ewige und selige Ruhe, durch gnädige Herablassung und Accomodation, dem Menschen vorbildlich zur Anschauung gebracht und ihn dadurch angewiesen, daß auch er seine Arbeit an jedem siebten Tage durch Ruhe in Gott abschließen und innerlich vollenden und heiligen soll. Hier haben wir also die göttliche Sanction und die göttliche Begründung eines wöchentlichen Ruhe- und Segentages, nicht bloß für Juden, sondern für alle Menschen. Auch in dem neuen Testamente, in der tiefjünnigen Stelle Hebr. 4, 3—4. wird die Sabbathruhe auf die Schöpfung zurückgeführt und als uranfängliche Ordnung Gottes bezeichnet. Das Sabbathgebot entspricht einem allgemeinen Naturgesetze, das Niemand ungestraft verletzen kann. Das menschliche Leben ist nach seiner leiblichen, geistigen und sittlichen Seite auf einen steten und regelmäßigen Wechsel zwischen Arbeit und Ruhe, zwischen äußerem Wachsthum und innerer Sammlung, zwischen Ausbreitung und Vertiefung angelegt. Jede Arbeit schließt sich in einem Ruheakte ab, und jede Ruhe ist wieder ein Ansatz zu neuer Thätigkeit. Diesem Gesetze ist selbst die Pflanze und das Thier unterworfen, und diesem Gesetze ist der Lauf der äußeren Natur, der

Sonne, des Mondes und der Sterne dienstbar gemacht. Daher der Wechsel von Tag und Nacht, und die Eintheilung der irdischen Zeit in Wochen, Monaten und Jahreszeiten. Was nun die Nacht ist im Verhältniß zum Tage, der Herbst und Winter im Verhältniß zum Frühling und Sommer, das ist der Sabbath, d. h. ein wöchentlicher Ruhetag, im Verhältniß zu den sechs Werktagen. Ob es der siebte oder der erste Tag der Woche sei, das ist für die allgemeine Frage hier ganz gleichgültig. Er ist die Ruhe der Woche, wie der Schlaf die Ruhe des Tages. Leib und Seele bedürfen zu ihrem Wohlsein nicht nur der täglichen, sondern auch der periodischen wöchentlichen Ruhe von der Arbeit, der Erholung von der Anstrengung, der Kräftigung aller Gliedmaßen und Fähigkeiten zu immer neuer Arbeit, und in demselben Maße, in welchem die regelmäßige Befriedigung dieses Bedürfnisses versagt wird, wird auch die Gesundheit, der Wohlstand und die Arbeitsfähigkeit untergraben. Bekanntlich findet sich die Wocheneintheilung mit einer mehr oder weniger klaren Feier des siebten Tages nicht nur bei den Hebräern, sondern bei allen geschichtlichen Völkern des Alterthums, den semitischen und indogermanischen, bei den Arabern, Aegyptern, Griechen, Römern, Chinesen und selbst den Negern der afrikanischen Goldküste, die ihren wöchentlichen Fetischtag haben, zum deutlichen Beweise, daß diese Eintheilung nicht bloß temporäre und nationale, sondern allgemein menschliche Bedeutung hat und auf einem wesentlichen Naturbedürfnisse beruht. Die Siebenzahl, welche Philo „das Lebensprinzip aller Dinge“ nennt, hat eine tiefe Bedeutung, nicht nur auf religiösem Gebiete als die Bundeszahl oder die Zahl der Zusammenfassung Gottes und der Welt, sondern auch in kosmischen und planetarischen Verhältnissen und macht sich in der normalen und krankhaften Entwicklung des menschlichen Lebens überall geltend.

Der Sabbath ist also, wie Christus sagt (Mark. 2, 27.), für den Menschen, nicht der Mensch für den Sabbath gemacht. Er ist seiner ursprünglichen Absicht nach, wie alle Gesetze und Einrichtungen Gottes, kein Zwang, kein Joch, sondern eine wahre Wohlthat, eine Gabe und ein Recht, das Gott den Menschen, und zwar allen Menschen, besonders auch den armen und hart arbeitenden Massen, den Dienstboten, den Fremdlingen, und selbst den unvernünftigen Thieren gegeben hat. Diese wohlthätige Absicht tritt im vierten Gebot ganz deutlich hervor. „Sechs Tage,“ so heißt es, „sollst du arbeiten und alle deine Werke thun, aber am siebenten Tage ist der Sabbath des Herrn, deines Gottes; da sollst du keine Arbeit thun, noch dein Sohn, noch deine Tochter, noch deine Magd, noch dein Vieh, noch dein Fremdling, der in deinen Thoren ist!“ Das Verbot der Arbeit, — von welchem jedoch, nach allgemeiner Zustimmung, Werke der Nothwendigkeit und der Liebe ausgenommen sind, aus dem einfachen Grunde, weil die Nothwendigkeit kein Gesetz kennt, und weil die Liebe des Gesetzes höchste Erfüllung ist, — ich sage, das Verbot der Arbeit ist nur die negative Seite und unvermeidliche Bedingung des positiven Unrechtes auf Ruhe für Leib und Seele, zur Erhaltung und Gesundheit beider.

Diese natürliche Nothwendigkeit und Wohlthätigkeit eines wöchentlichen Ruhetages für Leib und Seele wird durch die Erfahrung und durch die gewichtigsten ärztlichen Zeugnisse bestätigt. Unter den letzteren will ich aus vielen bloß einige anführen. Im Jahre 1832 ließ das britische Haus der Gemeinen

die Sonntagsfrage mit Rücksicht auf die arbeitenden Klassen durch eine Commission von dreißig Parlamentsmitgliedern untersuchen, zu denen Sir Andrew Agnew, Sir Robert Peel, Sir Robert Inglis, Sir Thomas Baring, Lord Ashley und andere ausgezeichnete Staatsmänner gehörten. Diese Commission consultirte eine große Anzahl Zeugen aus verschiedenen Ständen und Beschäftigungen, unter Andern auch den berühmten und erfahrenen Arzt Dr. John Richard Farre von London, der als Resultat seiner beinahe vierzigjährigen Praxis und Beobachtung folgendes Zeugniß ausstellte:

„Als ein Ruhetag halte ich den Sabbath für einen Ersatztag für die unzureichende Wiederherstellungskraft des Körpers unter fortwährender Arbeit und Aufregung. Ein Arzt nimmt immer Rücksicht auf die Erhaltung der Wiederherstellungskraft; denn wenn diese verloren ist, so hat seine Heilkunst ein Ende. Ein Arzt ist bedacht auf die Erhaltung der Gleichmäßigkeit des Blutumlaufes (the balance of circulation) als nothwendig zur Wiederherstellungskraft des Leibes. Die gewöhnliche Anstrengung des Menschen schwächt den Umlauf an jedem Tage seines Lebens; und das erste allgemeine Naturgesetz, durch welches Gott seine Zerstörung verhindert, ist der Wechsel von Tag und Nacht, damit Ruhe auf Arbeit folge. Aber obwohl die Nacht scheinbar den Blutumlauf ausgleiche, so stellt sie doch das Gleichgewicht für die Erreichung eines langen Lebens nicht hinlänglich her. Deshalb ist durch die Güte der Vorsehung ein Tag unter sieben als Ersatztag dazugegeben, damit durch dessen Ruhe das animalische System vollendet werde. Diese Frage läßt sich leicht faktisch entscheiden durch den Versuch mit einem Lastthier. Man nehme z. B. das Pferd, und man wird bald finden, daß ein Ruhetag seine Kraft für die übrigen sechs Tage vermehrt und zu seiner vollen Gesundheit nothwendig ist. Der Mensch wird durch die höhere Kraft seines Geistes anrecht gehalten, so daß sich der nachtheilige Einfluß fortwährender täglicher Arbeit und Anstrengung nicht so schnell und unmittelbar kund giebt als beim unvernünftigen Thiere, aber im Verlaufe bricht er rascher zusammen und verkürzt sich die Länge seines Lebens und die physische Kraft des Alters. Ich betrachte deshalb die Einsetzung des Sabbath als eine gütige Einrichtung der Vorsehung zur Erhaltung des menschlichen Lebens, und die Beobachtung desselben als eine natürliche Pflicht, sofern nämlich zugestanden wird, daß die Lebenserhaltung eine Pflicht und die unzeitige Lebenszerstörung eine Art von Selbstmord ist. Ich sage dies bloß als ein Arzt und ohne alle Rücksicht auf die theologische Seite der Frage. Aber wenn man ferner die Wirkungen des wahren Christenthums betrachtet, nämlich Friede des Gemüths, Vertrauen auf Gott und Wohlwollen zu den Menschen, so wird man in dem höheren Gebrauch des Sabbath, als eines heiligen Ruhetages, eine zusätzliche Quelle der Lebenserneuerung für den Geist und durch diesen auch für den Leib finden. Untersuchungen in der Physiologie zeigen durch die Analogie des Wirkens der Vorsehung in der Natur, daß das göttliche Gebot keine willkürliche Anordnung, sondern für das Wohl des Menschen nothwendig ist. Dies ist der Grund, auf welchen ich die Sache stelle, im Unterschied von Vorschritt und Gesetzgebung. Ich betrachte die Sonntagsruhe als nothwendig für den Menschen, und darum sind die Feinde des Sabbath auch Feinde des Menschen. Alle starken Anstrengungen des Leibes oder Geistes, sowie alle Arten von Ausschweifung und Unkeuschung, welche den Blutumlauf forciren, der an diesem Tage ruhen sollte, sind ein nachtheiliger Mißbrauch des Sabbath, während die Abspannung von den gewöhnlichen Lebenssorgen, der Genuß der Ruhe im Schooße der Familie, verbunden mit den religiösen Uebungen und Pflichten, welche dieser Tag auferlegt, von welchen, gehörig verstanden, keine einzige das Leben abkürzt, den angemessenen und wohlthätigen Gebrauch des Sabbath ausmachen.“

Bei einer regelmäßigen Versammlung der „New-Haven Medical-Association,“ welche aus fünfundzwanzig Aerzten mit Einschluß der Professoren des medizinischen Collegiums besteht, wurden folgende drei Fragen ausführlich besprochen und

einstimmig bejahend beantwortet: 1. Ist die Ansicht des Dr. Farre in seinem vor der Committee des britischen Hauses der Gemeinen abgelegten Zeugnisse richtig? 2. Sind Menschen, die bloß sechs Tage arbeiten, der Regel nach gesünder und leben sie länger, als solche, welche unter gleichen Verhältnissen sieben Tage arbeiten? 3. Verrichten sie mehr und bessere Arbeit? — Dr. John C. Warren von Boston, Professor am medizinischen Collegium der Universität von Cambridge, gibt ebenfalls seine volle Zustimmung in diesen Worten:

„Ich stimme der Ansicht des Dr. Farre, den ich persönlich als einen Arzt vom höchsten Range kenne, vollkommen bei. Die Nützlichkeit des Sabbath als eines Ruhetages, vom weltlichen Standpunkte aus betrachtet, ruht auf einem der allgemeinsten Naturgesetze, dem Gesetze des periodischen Wechsels (periodicity). So weit meine Beobachtung reicht, zeichnen sich die Menschen, welche am Sabbath weltliche Sorgen und Arbeiten zu vermeiden pflegen, auch am meisten durch vollkommene Erfüllung ihrer Pflichten während der Woche aus. Der Einfluß eines Wechsels der Gedanken am Sabbath auf das Gemüth solcher Person gleicht dem Einfluß des Wechsels der Nahrung auf den Körper. Jener scheint den Geisteskräften, wie dieser den Leibeskräften, neue Frische und Energie zu geben. Ich bin fest überzeugt, daß solche Personen im Stande sind mehr und bessere Arbeit in sechs Tagen zu verrichten, als wenn sie alle sieben Tage arbeiteten. Das Einathmen der reinen und erhebenden Atmosphäre eines religiösen Sabbath erfrischt und kräftigt den Geist. Es bildet eine Epoche in unserm Leben, von der wir neue Anregung erhalten, und ist daher die beste Vorbereitung für die Arbeiten der folgenden Woche.“

Eine Committee der gesetzgebenden Versammlung von Pennsylvanien führt in einem Berichte über den Kanalbau vom Jahre 1839 die Behauptung der Sonntagstreunde an, „daß sowohl Menschen als Vieh mehr Arbeit verrichten können, wenn sie einen Tag in sieben ruhen, als wenn sie alle sieben arbeiten,“ und fügt hinzu, „daß ihre eigene Erfahrung als Geschäftsmänner, Landwirthe und Gesetzgeber mit dieser Behauptung übereinstimme.“ Das Experiment ist häufig in England und Amerika mit Menschen, Pferden und Ochsen gemacht worden und hat dasselbe Resultat geliefert, und die Weisheit und Güte der göttlichen Anordnung eines wöchentlichen Ruhetages bestätigt. Ein auffallendes Beispiel zeigte sich noch vor kurzer Zeit in Californien, wo eine amerikanische Gesellschaft von Goldgräbern im Eifer für plötzlichen Reichthum den Sonntag verlegte, aber bald durch allerlei Krankheit und Seuche die Erfahrung machte, daß sie statt des Goldes vielmehr ihr eigenes Grab grub, und daher zur Feier des Ruhetages zurückkehrte, deren wohlthätige Folgen für Leib und Seele sich auch in kurzer Zeit einstellten.

Zu diesen englischen und amerikanischen Zeugnissen will ich noch ein deutsches hinzufügen von einem berühmten Manne, der zwar keine theologische und religiöse Autorität ist, aber in den höchsten Kreisen weltlicher Bildung den besten Klang, und daher für unsere Gegner um so größeres Gewicht hat.

„Ich theile ganz Ihre Meinung,“ sagt Wilhelm von Humboldt in den Briefen an seine Freundin (1850, Bd. 1. S. 282 f.) „daß die Einrichtung bestimmter Ruhetage, selbst wenn sie gar nicht mit religiöser Feier zusammenhinge, eine für Jeden, der ein menschenfreundliches, auf alle Klassen der Gesellschaft gerichtetes Gemüth hat, höchst erfreuliche und wirklich erquickende Idee ist. Es giebt nichts so Selbstsüchtiges und Herzloses, als wenn Vornehme und Reiche mit Mißfallen, oder wenigstens mit einem gewissen verschmähenden Uel auf Sonn- und Feiertage zurückblicken. Selbst die Wahl des siebenten Tages ist

gewiß die weiseste, welche hätte gefunden werden können. So willkürlich es scheint, die Arbeit um einen Tag zu verkürzen oder zu verlängern, so bin ich überzeugt, daß die sechs Tage gerade das wahre, den Menschen in ihren physischen Kräften und in ihrem Beharren in einförmiger Beschäftigung angemessene Maaß ist. Es liegt noch etwas Humanes auch darin, daß die zur Arbeit behülflichen Thiere diese Ruhe mit genießen.“

Allein nun sagen unsere Gegner: das geben wir gerne zu, wir wollen ja auch einen wöchentlichen Tag der Ruhe, der Erholung und der Freude. Allerdings! Aber eine Ruhe, welche die größte Unruhe und Aufregung ist, eine Erholung, welche Ermattung und Aufreibung bewirkt, und eine Freude, die mit bitterem Leide endet! Hört einmal die Sprache dieser Leute: „Der Arbeiter will einen Tag der Erholung, und zwar nicht aus dem Gesalbader eines Schwarzkrodes oder aus einem brünstigen Gebethüchlein, woran sich bloß alte Weiber und Dummköpfe erbauen können; die enge Werkstatt verlangt den Gegensatz der freien Natur, der Zwang der Arbeit drängt zur Ungebundenheit. Wir haben Sommergärten und Sommertheater, aber noch lange nicht genug; Dampfsboote und Eisenbahnen müssen Sonntags erst Tausende hinaus tragen in's Freie: Musik und Tanz unter grünen Bäumen müssen ertönen, wohin man sich wendet, überall Lust und Leben und Freude.“ Jedermann versteht den Sinn dieser Sprache; jedermann weiß, welcher wüste und rohe Materialismus, welche Bestialität sich darunter birgt. Jedermann weiß, wie es bei diesen weltlichen Vergnügungsarten, sei es unter grünen Bäumen, sei es in den Sauf- und Spielhöllen der Stadt, am Sonntag gewöhnlich hergeht. Die Folgen derselben sind leider nur zu oft in dem physischen und moralischen Kagenjammer, in Armuth und Verbrechen, in unsäglichem Familienelend und im endlichen Ruin von Leib und Seele zu lesen. Man nehme bloß die New-Yorker Criminal-Statistik der letzten paar Jahre und die Geschichte der siebentausend siebenhundert nicht lizensirten Kneipen dieser Stadt zur Hand, und man hat daran den schlagendsten und traurigsten Commentar zu dieser Sabbathschändung, der alle weiteren Beweise ersetzt. Weg mit diesen wüsten, ausgelassenen Vergnügungen, welche die Gesundheit untergraben, den Geist abstumpfen und verthieren, die Sitten zerstören und den guten deutschen Namen dem Spott und der Verachtung preis geben! Wahrlich, es giebt schönere, reinere und edlere Sonntagsfreuden, welche dem Leib und der Seele wahrhafte Erholung gewähren, sie zu neuer Arbeit stärken und eines vernünftigen sittlichen Wesens und gerade auch eines ächten deutschen Mannes allein würdig sind, Freuden an Gottes Wunderwerken in der Natur und Geschichte, Freuden im stillen Kreise der Familie, Freuden an Werken der Barmherzigkeit und Menschenliebe, Freuden an der Herzens- und Geistesbildung, Freuden der Religion oder des Umgangs der Seele mit dem ewigen Urquell alles Lebens und aller Freude. Für solche Freuden, für solche Ruhe und Erholung ist der Sonntag von Gott selbst bestimmt, und von jeder wohlgeordneten christlichen Regierung aufrecht gehalten.

Denn der Sonntag hat neben seiner physischen Nothwendigkeit als Ruhetag auch eine höhere sittliche Nothwendigkeit und Bedeutung, und bloß in demselben Grade, in welchem er seinem sittlichen Zwecke dient, kann er auch seinen physischen Zweck erreichen und dem Leibe des Menschen zur wahren Erholung dienen.

II.

Der Sonntag ist nämlich einer der Grundpfeiler des wohlgeordneten Familienlebens, sowie der öffentlichen Ordnung und Sittlichkeit in jedem Gemeinwesen. Darum steht das Sabbathgesetz nicht unter den Ceremonialgeboten, sondern in dem Sittengesetz als eines der zehn Gebote, welche seitdem die sittliche Basis nicht nur des jüdischen, sondern aller christlichen Staaten gebildet haben, und bis an's Ende der Zeit bilden werden. Diese Stellung ist von der größten Bedeutung für die allgemeine sittliche Nothwendigkeit und Wichtigkeit eines wöchentlichen Ruhetages und ein gewaltiges Argument zu Gunsten der anglo-amerikanischen Sonntagstheorie und Praxis im Gegensatz gegen die laxeren Ansichten vieler Theologen des Continents. Warum hat Gott, der allweise und allwissende Gott, in dem Mustergesetzbuch, das die Gesetzgebung des Solon und Lykurgus und aller Weisen des Alterthums überlebt hat und heute noch so wahr, so einleuchtend, so unentbehrlich ist als je, die Sabbathfeier mitten in die allgemeinen und ewig gültigen Sittengesetze hineingeschoben, und die Sabbathschändung ebenso ernstlich verboten als den Götzendienst, das Fluchen und Schwören, den Ungehorsam gegen die Eltern, den Mord, den Ehebruch, den Diebstahl und die Verläumdung des Nächsten? Gewiß läßt sich dieß nur durch die Annahme eines engen Zusammenhangs des Sabbath mit der öffentlichen Sittlichkeit, mit dem Wohl und Wehe einer Nation erklären.

Eben darum läßt sich auch von vornherein gar nicht denken, daß Christus, der nach seiner eigenen Erklärung nicht gekommen ist das Gesetz aufzulösen, sondern zu erfüllen, das vierte Gebot seinem Wesen nach aufgehoben oder auch nur abgeschwächt haben sollte. Allerdings wurde der Sabbath vom siebten auf den ersten Tag der Woche verlegt, weil Christus am ersten Wochentage auferstanden ist und dadurch die höhere geistige Schöpfung und die Erlösung der Welt vollendet hat. Das ist aber bloß eine Veränderung der äußeren zeitlichen Form, nicht des Wesens. Der alte jüdische Sabbath ist mit Christo begraben worden, und am ersten Wochentage siegreich und verklärt als christlicher Sonntag, als Gedenktag der sittlichen Schöpfung, als Freudentag der vollendeten Erlösung wieder auferstanden. Allerdings treten Christus und die Apostel in mehreren Stellen des Neuen Testaments dem abergläubischen, sklavischen, werkgerechten pharisäischen Sabbathismus, wie überhaupt allem tödtenden Buchstabendienst und aller scheinheiligen Heuchelei, entschieden entgegen, aber, wohlverstanden! nicht zu Gunsten der Profanation des Sonntags, sondern umgekehrt im Gegensatz gegen die Profanation der Wochentage und im Interesse der Heiligung aller Tage. Das ist ein himmelweiter Unterschied. Die Sabbathfeinde wollen alle Zeit und alle Arbeit im Dienste der Welt und Selbstsucht profaniren; Christus und Paulus wollen alle Zeit und alle Arbeit dem Dienste und der Ehre Gottes geheiligt sehen. Das ist der ideale Standpunkt, der dem Christen allerdings stets als Ziel des Strebens und der Sehnsucht vor Augen schweben soll, und der auch dereinst im Jenseits, in dem ewigen Sabbath des Volkes Gottes verwirklicht werden wird. Von demselben idealen Standpunkte verbietet der Herr den Eid, der allerdings in einem Zustande vollkommener Wahrhaftigkeit wegfallen wird, ja unter wahren Christen schon hier-unnöthig ist, in einer gemischten Welt voll Lüge und Trug aber nicht wohl entbehrt werden kann. Ebenso sind wir in dieser unvollkommenen

Welt noch immer auf einen Wechsel zwischen Arbeit und Ruhe, zwischen Werktagen und Sonntag angewiesen, und gerade der Sonntag und seine würdige Feier ist die beste und unentbehrliche Vorbereitung zur Herbeiführung jenes idealen Zustandes, wo jeder Tag Sonntag, und jedes Werk Gottesdienst und seliger Genuß sein wird.

Daher finden wir denn auch die Feier des Sonntags, als „des Tages des Herrn,“ schon in der apostolischen und nachapostolischen Kirche und seitdem ununterbrochen mit größerer oder geringerer Strenge oder Larheit in allen christlichen Ländern und Jahrhunderten bis auf unsere Tage. Und sobald das Christenthum nach dreihundertjährigem Kampf für seine Existenz vom römischen Staate anerkannt war, erließen Constantin der Große und seine Nachfolge sofort Gesetze für die bürgerliche Feier, oder vielmehr Gesetze gegen die bürgerliche Entweihung und zur Wahrung der religiösen Feier des christlichen Sonntags. Solche negative und protective Gesetze von größerer oder geringerer Strenge giebt es in allen christlich civilisirten Ländern, und zwar merkwürdiger Weise vorzugsweise gerade in denjenigen, wo am meisten bürgerliche und religiöse Freiheit herrscht, wie in der Schweiz, in Holland, England und Schottland.

Vor allem aber zeichnet sich das amerikanische Volk, das freieste und lebenskräftigste Volk unseres Zeitalters, durch strenge Sonntagsfeier aus. Dieser Zug ist wahrlich keine seiner Schwächen und Mängel, sondern umgekehrt ein Zeichen seiner sittlichen Stärke und Selbstbeherrschungskraft, ein Beweis seiner Fähigkeit zum Genuße vernünftiger Freiheit, und ein Erklärungsgrund seines beispiellosen Gedeihens und seiner weltgeschichtlichen Größe. Diese Sonntagsfeier ist hier ein ursprüngliches Gewächs und ein gemeinsamer Besitz, an welchem alle christlichen Benennungen Theil haben. Es ist bekannt, daß die puritanischen Pilgerväter, die Gründer von Neu-England, gleich den ersten Sonntag nach ihrer Landung in Plymouth Rock, im Jahre 1620, im kalten December, trotz aller Hindernisse der ersten Anstiedlung, ohne Obdach und in rauher Wildniß, auf die strengste und würdigste Weise feierten. Diese puritanische Sitte ist tief in den amerikanischen Nationalcharakter eingedrungen und allgemeine Volkssitte geworden. Sie hat zwar mit dem Wachsthum einer heterogenen Bevölkerung viel von ihrer ursprünglichen, zum Theil allerdings rauhen und übertriebenen Strenge verloren, besonders in den großen Seestädten, wo die Sonntags-Gesetze neuerdings vielfach durch die Nachsicht einer schwachen und charakterlosen Administration zum todten Buchstaben herabgesunken sind, kann aber nie ausgerottet werden. Das amerikanische Volk wird sich den wöchentlichen Ruhetag nie rauben oder in einen Tag der weltlichen Zerstreuung und Lustbarkeit verkehren lassen. Die Sonntagsgesetze von New-York stehen nicht vereinzelt da; alle andern Staaten unserer Republik, mit Ausnahme von einem oder zwei, wo das französische oder spanische Element vorherrscht, haben ähnliche, zum Theil viel strengere Gesetze.

Nun tritt uns aber hier gleich die populäre und oft wiederholte Einwendung entgegen, daß der Staat nichts mit der Kirche zu thun habe, und daß die Sonntagsgesetze der amerikanischen Glaubens- und Kultusfreiheit widersprechen, also eigentlich constitutionswidrig seien, folglich aufgehoben werden sollten.

Diese Einwendung ruht zunächst auf einem völligen Mißverständniß der Natur und Absicht der amerikanischen Sonntagsgesetze. Sie sind nämlich gar nicht coerciv oder zwingend, sondern bloß protectiv oder beschützend; sie sind nicht sowohl positiv, als negativ; sie gebieten nicht die Sonntagsheiligung, sondern verbieten bloß die Sonntagsentheiligung; sie zwingen Niemanden in die Kirche zu gehen, sondern beschützen bloß die Kirchengänger in ihren durch die Glaubens- und Gewissensfreiheit des Landes ihnen gewährten und verbürgten Rechten. Dieß gilt selbst vom Alttestamentlichen Sabbathgebot; es sagt nicht: am Sabbath sollst du die Stiftshütte oder den Tempel besuchen und deine Opfer bringen, sondern: Du sollst am Sabbath keine Alltagswerke verrichten, weder du, noch dein Sohn, noch deine Tochter, noch dein Knecht, noch deine Magd. Der Staat verhält sich zur Kirche ungefähr wie der Leib zur Seele, oder wie das Gesetz zum Evangelium. Er hat mit der inneren Gesinnung, mit der subjectiven Sittlichkeit und Privatsrömmigkeit, sofern sie nicht mit den Rechten Anderer in Conflict geräth, nichts zu thun, und darf die Gewissensrechte nicht einschränken; wohl aber ist es seine Pflicht, die öffentliche Sittlichkeit und die freie Ausübung der Religion zu wahren und zu schützen. Er darf nicht gebieten: Du sollst deinen Nächsten lieben und ihm Gutes thun; wohl aber muß er verbieten, dem Nächsten zu schaden, und muß daher die Verläumdung, den Diebstahl und den Mord bestrafen. Ebenso darf er, wie schon erwähnt, auch nicht die Sonntagsfeier und den Gottesdienst gebieten; wohl aber darf und muß er, so lange er auf den Namen eines christlichen Anspruch macht, die Sonntagsentweihung und die Störung des Gottesdienstes verbieten und nöthigenfalls bestrafen, und seinen Bürgern die Feier des Sonntags und die Ausübung ihrer Cultusfreiheit möglich machen. Das ist alles, und nichts mehr und nichts weniger, was wir vom Staate und seiner Gesetzgebung verlangen.

Nun wendet man aber weiter ein, der amerikanische Staat sei ja gar kein christlicher, so wenig als ein jüdischer, oder mohamedanischer, oder heidnischer; er verhalte sich gegen alle Religion ganz gleichgültig und müsse die Religionslosigkeit und den Atheismus ebenso frei gewähren lassen, als irgend eine Form der Religion.

Allerdings sind Kirche und Staat nicht nur in unserer General-Regierung, sondern auch in allen einzelnen Staaten und Territorien, mit Ausnahme des ganz abnormen und bloß temporären Mormonenstaates, getrennt. Allein diese Trennung ruht nicht auf Geringschätzung der Religion und Kirche, sondern auf tiefer Achtung vor beiden. Unsere Religions- und Cultusfreiheit ist nicht eine negative Freiheit, oder Emancipation von der Religion, sondern eine positive Freiheit zur Religion, die als zu hoch und heilig für die politische Gesetzgebung angesehen, und daher dem freien Gewissen des Einzelnen in seinem Verhältniß zu Gott und den kirchlichen Körperschaften überlassen wird. Der Amerikaner betrachtet die Religions- und Cultusfreiheit eben so wie die Rede- und Pressfreiheit, welche in dem bekannten Artikel der Föderal-Constitution zusammen genannt werden, als eines der unveräußerlichen Grundrechte eines amerikanischen Bürgers und erlangt von der Regierung, daß sie jeden Untertanen in diesem Rechte, wie in seiner Person und seinem Eigenthum beschützen soll. Da nun die große Masse des Volkes sich zum Christenthum in seinen verschiedenen Formen bekennet und

den Sabbath zur Ausübung des Christenthums für unentbehrlich hält, so muß die Regierung schon nach dem republikanischen Grundsatz der Majoritätenherrschaft ihnen den Vollgenuß ihrer Christenrechte und die Ausübung ihrer Christenpflichten, also unter anderm auch die Feier des göttlich eingesetzten Ruhetags möglich machen, und sie darin beschützen.

Die Trennung des Staates von der Kirche ist nichts weniger als eine Trennung der Nation vom Christenthum; vielmehr ist die amerikanische Nation viel entschiedener christlich, als irgend eine Nation der alten Welt, wo die beiden Mächte verschmolzen sind. Das Christenthum ist ein Theil unseres von England ererbten gemeinen Rechts (Common Law), ist mit all unsern Anschauungen und Sitten verwoben, beherrscht unsere häuslichen Einrichtungen und ganze Civilisation und ist die einzig mögliche Religion für Amerika. Gerade weil es hier nicht von der Staatsgewalt aufgezwungen, sondern von ihr bloß beschützt wird, ist es nur um so mächtiger und einflußreicher. Woher denn die vielen tausend Kirchen und Geistlichen; woher die Bibel-, Missions- und Traktatgesellschaften mit ihren enormen Einnahmen; woher die zahllosen christlich religiösen und philanthropischen Anstalten, Vereine und Liebeswerke, ohne den geringsten Beitrag aus der Staatskasse, alle gegründet, gehoben und getragen durch den freien Willen des Volkes? Sind sie nicht eben so viele Beweise und Ehrendenkmäler der Christlichkeit der amerikanischen Nation?

Ja, das Christenthum ist nicht nur die Religion des Landes, sondern auch die einzig feste Grundlage der amerikanischen Republik, ohne welches diese nicht sechs Jahre bestehen könnte. Das ist die Ansicht der bedeutendsten und weisesten amerikanischen Staatsmänner. „Während eine gerechte Regierung,“ sagt Washington, der unsterbliche Vater dieser Republik, der selbst ein gottesfürchtiger und bibelgläubiger Mann war, „alle Bürger in ihren religiösen Rechten beschützt, so ist andererseits wahre Religion der sicherste Schutz der Regierung.“ Und zwar verstand er unter Religion nichts anderes als das Christenthum. „Das amerikanische Volk,“ bemerkt sein Freund und Biograph, John Marshall, der erste Oberrichter des obersten Gerichtshofs der Vereinigten Staaten, „ist ein durchaus christliches Volk; und bei uns sind Christenthum und Religion Eins und dasselbe. Es wäre in der That sonderbar, wenn die Institutionen eines solchen Volkes nicht überall das Christenthum voraussetzten.“ Der Oberrichter Joseph Story, sein College und der berühmteste Ausleger unserer Constitution, sagt von dem oben berührten Artikel über die Religionsfreiheit: „Die eigentliche Absicht dieses Zusatzes* war nicht, den Muhamedanismus, oder das Judenthum, oder den Unglauben zu beschützen, noch viel weniger zu befördern und das Christenthum zu benachtheiligen; sondern bloß, alle politische Rivalität zwischen den verschiedenen christlichen Benennungen auszuschließen und die Gründung einer Staatskirche mit einer ausschließlich von der Nationalregierung begünstigten Hierarchie zu verhindern.“ „Denn,“ fährt er fort, „zur Zeit der Annahme der Constitution und der Zusätze war es wahrscheinlich die herrschende, wo nicht allgemeine Ansicht in Amerika, daß

* Im ersten Artikel der Zusätze: „Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.“

das Christenthum vom Staate begünstigt und geschützt werden solle, so weit dies mit den Privatrechten des Gewissens und mit der Freiheit des religiösen Cultus vereinbar ist. Ein Versuch, alle Religionen gleich zu stellen, und es zur Staatspolitik zu machen, gegen alle gleich indifferent zu sein, würde allgemeine Mißbilligung, wo nicht allgemeine Entrüstung (universal disapprobation, if not universal indignation) hervorgerufen haben.“ Derselbe Judge Story erklärt: „Frömmigkeit, Religion und Sittlichkeit sind aufs Innigste mit der Wohlfahrt eines Staates verwoben und für die Administration der bürgerlichen Gerechtigkeit unentbehrlich (indispensable.)“ Nach Daniel Webster, der sich den Ehrennamen des Auslegers der Constitution erworben hat, spricht alles dafür, daß das Christenthum und nur das Christenthum die anerkannte Religion der Vereinigten Staaten ist.

Und nun wollen die rothen Republikaner, welche ungerufen zu uns kamen oder zu kommen genöthigt waren und die Gastfreundschaft dieses Landes undankbar mißbrauchen, uns belehren, daß unsere Gesetze und Freiheit religionslos seien und das Christenthum mit dem Atheismus auf Eine Stufe stellen! Wahrlich diese Herren haben eine grundfalsche Vorstellung vom amerikanischen National-Charakter und müssen noch das A B C der wahren Freiheit lernen. Die roth-republikanische und die amerikanische Freiheit haben nichts mit einander gemein als den Namen. Jene Freiheit ist rein negativ und besteht bloß im Hass gegen Fürsten und Pfaffen, gegen alle beschränkenden Gesetze und Sitten; sie ist in Wahrheit Zügellosigkeit des Fleisches und eben darum die elendeste Sklaverei der Leidenschaft; sie muß im Staate nothwendig zur Anarchie und dann, auf dem Wege der unausbleiblichen Reaction, zum militärischen Despotismus führen. Schlagende Beweise dafür liefern die erste französische Revolution und die pseudo-republikanischen Mißgeburten des Jahres 1848, welchen wir die Einwanderung so vieler verunglückten und verjagten Freiheits- oder Zügellosigkeitshelden verdanken.

Der Amerikaner dagegen kann sich individuelle und nationale Freiheit nur denken auf Grundlage der unantastbaren Autorität des Gesetzes und unter der Bedingung des sogenannten self-government, d. h. der sittlichen Herrschaft des Bürgers und des Volkes über sich selbst. Denn das Wörtlein „selbst“ oder self ist in diesem berühmten Lesungsworte anglo-amerikanischer Freiheit nicht als Nominativ und Subjekt zu fassen, wie in dem russischen Worte „Selbst-Herrscher,“ self-ruler, welches die ausschließliche Herrschaft eines Willens, des Czaren, über das ganze Volk, also das Princip des absoluten Despotismus ausdrückt, sondern es ist das Object und zeigt an, daß jeder sich selbst ein Gesetz und über alle seine Leidenschaften Herr sein müsse, ehe er zur Freiheit reif ist. In ähnlichem Sinne sagt der größte deutsche Dichter ebenso wahr als schön:

„In der Beschränkung nur zeigt sich der Meister,
Und das Gesetz nur kann dir Freiheit geben.“

Ja, nach amerikanischer und überhaupt nach der richtigen Ansicht ist nur der ein wahrhaft freier Mann, der sich selbst Gesetz ist und jedem bestehenden Gesetze um des Gewissens willen sich freudig unterwirft. Und der letzte Grund dieser vernünftig sittlichen Freiheit oder Selbstbestimmung ist die Gottesfurcht. Nur wer den Herrn aller Herren fürchtet, braucht sich vor keinem irdischen König und Kaiser zu fürchten; nur wer sich von Gott abhängig fühlt, ist unabhängig von Menschen; der Dienst Gottes ist die wahre Freiheit. Das war die Freiheit der

alten Puritaner und ersten Ansiedler des Landes, der Holländer, Hugonotten, der Quäker, der deutschen Lutheraner und Reformirten und Aller, die um ihres Glaubens willen die Bequemlichkeiten des Vaterlandes mit der rauhen Wildniß vertauschten und Alles opferten, um Gott nach ihrem eigenen Gewissen anbeten zu können. Die Gottesfurcht hat sie frei und stark und zu Vätern eines unermesslichen Geschlechts und der großartigsten Republik der Weltgeschichte gemacht. Das ist noch jetzt die Freiheit jedes ächten Amerikaners; das die Freiheit, die uns durch die Landesgesetze und Landesitte verbürgt ist, während der Mißbrauch der Freiheit und die Zuchtlosigkeit hier, wie in jedem andern Lande, der gerechten Strafe unterliegt.

[Hier wandte sich der Redner in englischer Sprache an die anwesenden Anglo-Amerikaner mit mehreren Fragen zur Bestätigung des Gesagten, welche einstimmig mit Ja beantwortet wurden.]

Die Geschichte, dieses didaktische Heldengedicht Gottes, diese große Lehrerin der Weisheit und Erfahrung, hat längst und vielfach den positiven und negativen Beweis geliefert, daß nur eine solche Freiheit, die auf sittlicher Basis ruht, mit Ehrfurcht vor Gesetz und Ordnung Hand in Hand geht und von der Gottesfurcht und Tugend des Volkes genährt und getragen wird, bestehen und ein Volk glücklich machen kann, während jener revolutionäre, sittenlose und religionslose Liberalismus alle Grundlagen der Gesellschaft zerstört und mit Schmach und Schande endet.

Wahre Freiheit steht also nicht im Widerspruch mit Ehrfurcht vor Gottes heiligem Worte und Gesetze, also auch nicht mit Ehrfurcht vor seinem heiligen Tage, sondern wird umgekehrt dadurch nur gestützt und gefördert. "Without support from religion," jagt ein ausgezeichnete amerikanische Schriftsteller, "all human freedom moulders and topples into irretrievable ruin." Daher dürfen wir uns auch nicht wundern über die bedeutungsvolle, schon oben berührte Thatsache, daß gerade die freisten Völker der Welt, die Schweizer, die Holländer, vor allem aber die Engländer und Amerikaner die strengsten Beobachter des Sonntags, als eines stillen, gottgeweihten Ruhetages sind, und ihre Freiheit gerade in demselben Maße bewahren und genießen, als sie in der Furcht und Liebe zu Gottes heiligem Worte und Gesetze verharren.

Der wohlthätige sittliche Einfluß einer würdigen Sonntagsfeier auf das Familienleben, die öffentliche Ordnung und nationale Wohlfahrt kann leicht durch den Kontrast zwischen dem kontinental-europäischen, besonders parisischen, und dem anglo-amerikanischen Sonntag und seinen unmittelbaren Wirkungen anschaulich gemacht werden. Ich frage hier jeden der anwesenden Amerikaner, die den europäischen Kontinent zum Theil mehrmals besucht haben, ob sie nicht bei aller Bewunderung vor dem vielen Herrlichen, Schönen und Guten in der alten Welt, doch gerade durch die leider so häufige Sabbathschändung und ihre traurigen Folgen schmerzlich berührt wurden und in diesem Punkte wenigstens mit doppelter Achtung und Liebe zu ihrem amerikanischen Sabbath zurückgekehrt sind?

[Hier forderte der Redner Herrn Dr. R. Hitchcock, Professor am Theol. Seminar der Presbyterianischen Kirche in New-York, und einen gründlichen Kenner und Bewunderer der deutschen Literatur, achtungsvoll auf, der Versammlung das Resultat seiner Beobachtung in dieser Hinsicht während eines zweijährigen Aufenthaltes in Europa Anno 1848 und 1849 mitzutheilen. Darauf trat Herr Dr. H. hervor und sprach zuerst in einigen deutschen Worten und dann in englischer Sprache, von dem Unterschied zwischen dem römisch-katholischen holiday und dem evangelisch-christlichen holy day, dann von der unermesslichen Wirkung der Reformation Luthers und Calvins, die als eine Sichel auf den jungfräulichen Boden Amerikas verpflanzt, ungehemmt von fremdartigen Traditionen und Einrichtungen, zu einem riesigen Sichbaum herangewachsen sei, von dem nothwendigen Zusammenhang aller wahren Freiheit mit Achtung vor göttlicher Autorität, und äußerte seine hohe Freude über das begonnene Zusammenwirken der deutschen Mitbürger zur Aufrechthaltung der amerikanischen Sabbathfeier.

Aufgefordert, seine Rede zu vollenden, trat sodann Dr. S. noch einmal auf und fuhr in deutscher Sprache fort.]

III.

Bisher habe ich mich auf die physische und sittliche Bedeutung des Sonntags beschränkt. Nun noch einige Worte über die religiöse und kirchliche Bedeutung desselben, als eines Segenstages für die Seele in ihrem Verhältniß zu Gott und zur Ewigkeit. Diese Seite der Frage, obwohl für den Christen von der höchsten Wichtigkeit, hängt eigentlich bloß mittelbar mit dem Zwecke, der uns hieher geführt, zusammen. Es handelt sich nämlich für uns bei dieser Gelegenheit zunächst bloß um die Erhaltung und Förderung des bürgerlichen Ruhetages, und dafür allein sprechen wir den Schutz des Staates an, dessen Jurisdiction hier ein Ende hat. Allein der bürgerliche Sonntag ist die nothwendige Basis für den kirchlich-religiösen Sonntag, und die physische und moralische Bedeutung und Feier desselben vollendet sich erst in der gottesdienstlichen Feier.

Diese gottesdienstliche Feier des Sonntags, sowie die Religion überhaupt, ist Sache der Freiheit. Sie kann ihrem Wesen nach, zumal in einem Lande, wo Kirche und Staat getrennt sind, niemanden aufgezwungen werden. Eine gezwungene Anbetung ist gar keine Anbetung. Es fällt keinem vernünftigen amerikanischen Bürger, selbst von dem strengsten puritanischen Rigorismus, auch nur von ferne ein, unsere sabbathfeindlichen Landäleute durch Staatsgesetze zum Kirchengehen zu nöthigen, so sehr er auch als Menschenfreund und Christ wünschen muß, daß sie den vollen Segen des Sonntags genießen möchten, statt denselben im Wirthshaus und Theater zu vergeuden oder in Fluch zu verkehren. Alles, was wir von ihnen auf gesetzlichem Wege verlangen, ist, daß sie nicht durch öffentliche Sabbathsänderung unsere öffentliche Sabbathsfeier, die ein wesentlicher Bestandtheil der Ausübung unserer christlichen Religions- und Kultusfreiheit ist, stören oder gar unmöglich machen, und dadurch die öffentliche Sittlichkeit und nationale Wohlfahrt, wie ihr eignes individuelles Glück, gefährden und untergraben.

Auf der andern Seite aber hängen Religion und Sittlichkeit im Staate, wie im Einzelnen, sehr eng mit einander zusammen, und es ist die wohlbegründete Ansicht der größten amerikanischen Staatsmänner, — um von den Theologen und Geistlichen gar nicht zu reden, — daß die Sittlichkeit ohne Religion unmöglich auf die Dauer bestehen kann. Ich erinnere sie hier, außer dem bereits angeführten, bloß an folgende beherzigenswerthe Worte in der Abschiedsrede Washingtons, des größten und besten Amerikaners: „Alle Einrichtungen und Gebräuche,“ sagt er, „welche zu politischer Wohlfahrt führen, bedürfen der Frömmigkeit und Sittlichkeit als unentbehrlicher Stützen. Vergebens würde derjenige Opfer der Vaterlandsliebe verlangen, welcher daran arbeitet, diese Hauptpfeiler des Menschenwohls, diese festesten Grundlagen der Menschen- und Bürgerpflichten zu untergraben. Der bloße Staatsmann sollte sie, gleichwie der fromme Gläubige achten und pflegen. Ein großes Buch könnte alle ihre Verbindungen mit dem Wohlergehen des Einzelnen, wie des ganzen Staates nicht nachweisen.“

In unserem freien Lande bedarf der Staat zu seiner Sicherheit ebenso sehr, ja noch mehr des sittlichen Einflusses der Kirche, als die Kirche des gesetzlichen Schutzes des Staates, obwohl beide mit vollem Rechte von einander geschieden und in ihrer Verwaltung unabhängig und selbstständig sind. Beide gehören gleich nothwendig zum Gesamtleben des amerikanischen Volkes, ebenso wie Leib und Seele zum Wesen des Menschen. Wir fürchten keinen Widerspruch von einem vernünftigen Zuhörer, wenn wir den Grundsatz aussprechen: Keine Freiheit ohne Tugend, keine Tugend ohne Frömmigkeit. Mit denselben Rechte können wir aber auch sagen: Kein physischer Sabbath ohne bürgerlichen und sittlichen Sabbath, kein sittlicher Sabbath ohne kirchlich-religiösen Sabbath.

Denn die Religion — das lehrt die Geschichte aller Völker — ist das geheimnißvolle Band, das den endlichen Geist mit dem unendlichen Geiste, das

vernünftige Geschöpf mit dem Schöpfer, den erlösungsbedürftigen Menschen mit dem ewigen Urquell alles Lebens und Heils verbindet. Sie ist zugleich das stärkste Band der Gesellschaft, dauernder als Freundschaft und zeitliches Interesse. Die Religion ist das tiefste, allgemeinste und heiligste Bedürfnis, die Würde und Zierde, die Krone und Perle des menschlichen Daseins; sie ist der mächtigste Damm gegen Sünde, Laster und Verzeiflung; sie ist die Mutter des Glaubens, der Liebe und der Hoffnung; sie begeistert zu großen Gedanken, edlen Gefühlen, nützlichen Thaten; sie lehrt Mäßigung im Glücke und Geduld im Leiden; sie gibt Frieden im Leben und Trost im Tode; sie verknüpft das Diesseits mit einem besseren Jenseits, und verklärt den flüchtigen Jammer der Erde in den ewigen Jubel des Himmels.

Das Alles gilt aber im vollen Sinn bloß vom Christenthum, der allein wahren, der allgemein menschlichen, der vollkommenen Religion, welche die Weisheit Griechenlands, die Politik Roms, die Barbarei der Celten, Germanen und Slaven ohne Schwertstreich besiegt hat und gewiß auch den modernen Unglauben wie seine Vorgänger überwinden wird, welche jetzt weiter verbreitet und tiefer begründet ist als je zuvor, welche die ganze civilisirte Menschheit beherrscht, das Ruder der Weltgeschichte führt und in ihrem friedlichen Siegeslaufe fortschreiten wird, bis alle anderen Religionen ihr zu Füßen fallen und sich zum Lobe des Dreieinigen Gottes, des Schöpfers, Erlösers und Vollenders der Menschheit, vereinigen.

Hat es aber je ein Christenthum in der Welt gegeben ohne gemeinsamen Gottesdienst? Und ist gemeinsamer Gottesdienst nach den Gesetzen des irdisch-menschlichen Lebens möglich ohne einen heiligen gottgeordneten Ruhetag? Alle christlichen Confessionen und Sekten, gleichviel ob sie den Ursprung des Sabbath's auf das offene Grab des Erlösers, oder auf den Berg Sinai, oder in den Garten Eden zurückführen, gleichviel ob sie einer streng puritanischen oder einer freien evangelischen Ansicht über die Art und Weise seiner Feier huldigen, haben auf diese Fragen nur eine und dieselbe Antwort.

Ja, der wöchentliche Ruhetag ist die nothwendige Bedingung der regelmäßigen Predigt des Evangeliums, des öffentlichen Gebets und Gesanges, der feierlichen Verwaltung der Sacramente, kurz aller Funktionen der christlichen Kirche und ihres unermeßlichen, reinigenden, erhaltenden, erhebenden und heiligenden Einflusses auf das Volksleben. Der Ruhetag ist eine Wagenburg um das Christenthum herum; ein wöchentlich wiederkehrender Glockenruf zur Buße, zum Glauben, zur Versöhnung, zur Heiligung und Vollendung; ein Meerfels, an dem sich die wüsten Wogen des Mammonismus und Sekularismus, des Unglaubens und der Unsitlichkeit immer wieder brechen; ein Hereinscheinen der Himmelssonne in die Erdennacht; ein Wegweiser aus der Zeit in die Ewigkeit.

Und zwar ist dieser Ruhetag oder der Tag des Herrn, — wie er im neuen Testamente im Unterschied von dem jüdischen Sabbath und dem heidnischen Sonntage heißt, — für den gläubigen Christen keineswegs ein hartes Gesetz und schweres Joch, sondern seiner ursprünglichen Bestimmung gemäß ein sanftes Evangelium und süßes Vorrecht, eine köstliche Himmelsgabe und Gnabengeschent. Er erinnert uns ja an alle Wohlthaten Gottes in der vollendeten Schöpfung und Erlösung, im Reiche der Natur und der Gnade. Er ist ja der Tag der Auferstehung, an welchem der Herr Tod, Teufel und Hölle besiegt hat, seinen Jüngern als den Lebensfürsten sich offenbart und immer aufs Neue sein „Friede sei mit euch!“ ihnen zuruft. Er ist ja der Tag der Ausgießung des heiligen Geistes, der seitdem in der Kirche gewohnt hat und uns fortwährend durch Wort und Sacrament aus der Finsterniß zum wunderbaren Lichte des Evangeliums ruft. Er ist also ein heiliger Freudentag, ein Tag der geistlichen Sonne der Wahrheit und des Lebens, ein Tag des Aufgangs aus der Höhe, ein Tag der Freiheit in der Knechtschaft, ein Recht zur Ruhe mitten in der Unruhe des Erdenlebens, eine kühle Rasenbank auf der Pilgerfahrt durch die Wüste, ein Tag der Erholung

und Erquickung für Leib und Seele, eine Erinnerung an das Paradies der Unschuld und ein Vorschaubild des ewigen Sabbaths im Himmel, wo alle Erdenarbeit sich zur Gottesruhe und alle Zeit in die Ewigkeit verklären und vollenden wird. Das ist die ächt christliche, das ist die deutsch evangelische Anschauung vom Tage des Herrn, wie sie in dem von uns angeführten Liede meines theuren Lehrers und Freundes, des berühmten Theologen Dr. Tholuck, so schön und lieblich ausgesprochen ist:

„O Sabbath, den der Herr gemacht, Damit Er gnädig uns bedacht, Erquickungstag der Fremden, Wo in's Getummel dieser Welt Ein Strahl des ew'gen Sabbaths fällt, Zu dem ich einst soll kommen! Ja ich Will mich Hier schon legen An den Schätzen Deiner Stille Bis zur ew'gen Sabbathfülle.“

Und diesen göttlichen Segenstag sollten wir uns von den Feinden des Christenthums entreißen und in einen Fluchttag verkehren lassen? Nein, so wahr der Herr lebt, so lieb uns unser Leib und unsere unsterbliche Seele ist, gegen dieses Zerstückwerk wollen wir uns wie Ein Mann mit aller Kraft des Zeugnisses und der That erheben! Im Namen eurer leiblichen und geistigen Gesundheit, im Namen eurer zeitlichen und ewigen Wohlfahrt, im Namen eurer Familien, eurer Weiber und Kinder, im Namen der öffentlichen Sittlichkeit und nationalen Wohlfahrt, im Namen des Staates und der Kirche, im Namen der deutschen Gottesfurcht und Frömmigkeit, im Namen der deutschen Ehre und Würde, im Namen alles dessen, was euch als Menschen, als Bürger und als Christen heilig und theuer ist, beschwöre ich euch, daß Ihr euch mit unsern amerikanischen Landsleuten und Mitchristen vereinigt zur Rettung und Bewahrung der unschätzbaren Güter dieses heiligen Tages, unter dessen schützendem und segnendem Einflusse dieses Land und dieses Volk frei und stark, eine Großmacht der Welt und ein Wunder der Geschichte geworden ist.

Dann wird ein reicher Gewinn von dieser Abendversammlung ausgehen, dann werden wir Deutsche ein Segen für unsere neue Heimath werden und unserm alten Vaterlande Ehre machen. Ja, Deutschland selbst wird uns dafür danken, die späteste Nachwelt in Amerika den deutschen Namen mit Achtung und Liebe nennen, und der Herr des Sabbaths uns mit seiner ewigen Sabbathruhe im Himmel belohnen.“

Der Vorsitzende verlas hierauf folgende sieben Beschlüsse, (die auch im Programm standen, das jeder Anwesende in Händen hatte,) und ersuchte die Versammlung, sofern sie denselben beistimme, dieß durch Aufstehen kund zu geben. Sofort erhob sich die ganze Versammlung, und die Beschlüsse sind daher als einstimmig angenommen zu betrachten.

Beschlüsse.

Beschlossen, daß die Heilighaltung des Tages des Herrn für jeden einzelnen Menschen von der größten Wichtigkeit ist, weil ihm dadurch, nach sechs Werttagen, ein Tag der Ruhe und mit demselben Zeit und Gelegenheit zu geistiger und sittlicher Ausbildung und zur Vorbereitung für den Himmel gewährt wird.

Beschlossen, daß die Sonntagsfeier für das Familienleben von der höchsten Bedeutung ist, indem die Bande der Gattenliebe, sowie der Eltern-, Kindes- und Geschwisterliebe mittelst des längeren, ruhigen Beisammenseins sich fester schlingen und durch die gemeinsame Theilnahme am Gottesdienst geheiligt und veredelt werden.

Beschlossen, daß die Sonntagsfeier für die ganze menschliche Gesellschaft ein dringendes Bedürfnis ist, damit das Geräusch und Getriebe des Alltagslebens stillstehe, und dadurch die Gefahr des Versinkens in Materialismus abgewendet und das Bewußtsein von der gemeinsamen Bestimmung aller Menschen und den

daraus entspringenden Pflichten gegen die Menschheit überhaupt und das Vaterland insbesondere, geweckt werde.

Beschlossen, daß die Sonntagsfeier für die christliche Kirche unentbehrlich ist, indem durch die regelmäßig wiederkehrende Predigt und Unterweisung der Jugend die christliche Erkenntniß stets neu angeregt, christliche Liebesthätigkeit und alle andern Tugenden genährt, und von der Ruhe, „die noch vorhanden ist dem Volke Gottes,“ ein Vorbild dargestellt wird.

Beschlossen, daß die unter unsern Landsleuten so häufig stattfindende Verfehrung des Tages der Ruhe und Andacht in einen Tag der Zerstreuung und des sinnlichen Vergnügens ein Schandfleck des deutschen Namens ist, gegen den wir als Deutsche feierlich protestiren und an unsere amerikanischen Mitbürger die Anforderung stellen, daß sie das ungehörliche Treiben vieler Deutschen nicht ungerechter Weise dem ganzen Volke und dessen Stammlande zur Last legen.

Beschlossen, daß wir die, seit der ersten Gründung europäischer Ansiedelungen hier zu Lande eingeführte strenge Sonntagsfeier, welche seitdem allgemeine amerikanische Volkssitte geblieben ist, nicht als einen Mangel Amerika's beklagen, sondern als einen großen Vorzug Amerika's ehren und werth halten, und daher auch willig helfen wollen, diesen Vorzug zu bewahren und zu pflegen.

Beschlossen, daß wir in den Sonntagsgesetzen unseres neuen Vaterlandes durchaus nichts mit dem Prinzip der Freiheit Streitendes finden können, vielmehr darin eine Gewähr des Fortbestandes unserer freien Institutionen und ein wirksames Mittel erblicken, um die Zügellosigkeit und Ausschweifung, und damit zugleich die Verarmung und Entfittlichung, welche die Freiheit jedes Volkes auf's schlimmste gefährden, von uns abzuwehren.

Der Prediger R. S. Cook, Sekretär der New-Yorker Sabbath-Committee, brachte in Erwähnung, daß Dr. Spring sich auf der Plattform befinde, der seit beinahe fünfzig Jahren Prediger an einer der größten Gemeinden von New-York sei. Die Versammlung werde daher gern einigen Worten von ihm ihr Ohr leihen. Der ehrwürdige Greis, gebeugt von der Last des Alters und der damit verbundenen Schwachheit, aber auch bedeckt mit dem Schmucke allgemeiner Hochachtung, wurde hierauf zum Platze des Vorsetzers geleitet, und sprach seine Gefühle der Dankbarkeit gegen Gott aus, der ihm gestattet habe, einen solchen Anblick zu genießen. Er sagte, es handle sich hier nicht um den Sabbath allein, sondern um das ganze Gebäude christlicher Lehren und Einrichtungen, welche alle mit dem Sabbath so eng verbunden seien, daß sie mit ihm ständen oder fielen. Er begrüße die Landsleute Luther's als Mitarbeiter an dem gesegneten Unternehmen, den Tag des Herrn der Entweihung und Verderbniß zu entreißen.

Die Versammlung stimmte nunmehr den Lobgesang an: „Nun danket Alle Gott!“ und ward darauf mit dem apostolischen Segenswunsch entlassen.

Der Redakteur des „New-York Observer“ (das ist: New-Yorker Beobachter), einer weit verbreiteten, allgemein geachteten christlichen Wochenchrift, war als aufmerksamer Zuhörer den ganzen Abend zugegen. Er sprach sich darauf in seinem Blatte vom 20. Okt. folgendermaßen darüber aus: „Wir erinnern uns nicht, je einer bessern Versammlung in unserer Stadt beigewohnt zu haben. Die Anwesenden waren fast ausschließlich Deutsche, gut gekleidete, wohl aussehende, achtbare Männer und Frauen; Leute, die im Stande sind, dem Staat als gute Bürger zu dienen, und deren Wohnen unter uns ein Segen, und nicht ein Fluch für uns ist.“

Alle religiösen und auch die besten politischen Journale von New-York sprachen sich sehr günstig über diese denkwürdige Versammlung aus.

SUNDAY THEATRES,

“SACRED CONCERTS”

AND

BEER-GARDENS.

1. Diminution of Crime by Suppression of Sunday Liquor Traffic—Statistics of Police Department.
 2. Extent and Character of Sunday Theatricals.
 3. Sunday Lager-Beer Trade.
 4. “Sacred Concerts” Unmasked.
 5. The Lager-Beer System in other Cities.
 6. The “National Custom” Plea Examined.
 7. American Customs Vindicated.
 8. Effects of Holiday Sunday Illustrated—Mexico.
 9. Constitutionality and Adequacy of Sunday Laws
 10. German Sentiment on the Sunday Question.
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DOCUMENT NO. 11,

OF

THE NEW YORK SABBATH COMMITTEE.

NEW YORK:

EDWARD O. JENKINS, PRINTER,

No. 26 FRANKFORT STREET.

1860.

SUNDAY THEATRES,

“Sacred Concerts,” and Beer-Gardens.

ALL good citizens must have noted with gratitude the recent improvement in the observance of the Sabbath in New York. The Sunday News-crying nuisance has ceased, and Juvenile Rowdism is essentially checked. The Sunday Liquor Traffic, as to its *public* violation of law, has been substantially suppressed. The marked advance in public morals, as the direct result of this reform, and the gratifying decrease in drunkenness and crime, are already indicated by the records of the Police Department, and are palpable in the proceedings of our Criminal Courts.

Suppression of Sunday Liquor Traffic.—Results.

In a document on the Sunday Liquor Traffic, published a year ago, the Sabbath Committee presented the statistics of the Police Commissioners, showing an average *increase of twenty-five per cent.* of arrests for intoxication, disorder, and crime on the *Sundays* of seventy-six weeks, over the arrests on the *Tuesdays* of the same period,—attributing the increase to the unrestricted sale of liquors on the Sabbath. The precise facts were as follows :

ARRESTS ON SUNDAYS AND TUESDAYS,

From July '57 to Dec. '58—Seventy-six weeks.

	DRUNK			
	DRUNK.	AND DISORDERLY.	MISCELLANEOUS.	TOTAL.
Sundays	2,453	2,580	4,680	9,713
Tuesdays	1,928	1,865	4,068	7,861
Excess on SUNDAYS	525	715	612	1,852

A similar collation and comparison of the statistics of the last five

months (July to December, '59), embracing the period since the Sunday Liquor-shops were generally closed, furnishes the cheering evidence of a DIMINUTION OF THIRTY-THREE per cent. of criminal offences on Sunday as contrasted with Tuesday. The summary furnished by the chief clerk of the Police Board is as follows :

ARRESTS ON TUESDAYS AND SUNDAYS,

For five months—twenty-two weeks—from July 3, to Dec. 1, 1859.

	INTOXICATION.	DISORDERBLY.	ASSAULT AND BATTERY.	ALL OTHERS.	TOTAL ARRESTS.
Tuesdays	2,161	897	616	1,311	4,976
Sundays	1,515	652	352	828	3,357
Excess on TUESDAYS . .	646	245	264	483	1,619

Important Deductions from these Statistics.

It appears from these statistics that while the arrests of the Police in 1858, when the Liquor-shops were open, were an average of *twenty-five per cent. more* on SUNDAYS than on Tuesdays,—in 1859, when the Liquor-shops were ostensibly closed, the arrests were within a fraction of *fifty per cent. more* on TUESDAYS than on Sundays; showing a *gratifying change of seventy-five per cent. in favor of order and morals, as the result of the enforcement of the Sunday Liquor Law* and the improved Sabbath sentiment. Had the same ratio of arrests continued as formerly, during the five months for which we have returns, the Sunday arrests would have been 6,220; whereas they were in fact 3,357: showing a diminution of 2,863 cases of drunkenness and crime, on one day of the week, in that brief period, equal to an average of 572 per month, or 6,864 per annum.

Another result, scarcely less cheering, is the fact that *the ratio of arrests is steadily diminishing, on both Sundays and Tuesdays*. Thus, there were 654 arrests on four Sundays in July, '59; on the Sundays of November there were but 451. [The two previous years show, in both cases, a greater number in November than in July.] And the arrests for the Tuesdays of July and August were 1990, against 1594 in October and November; or a diminution of twenty per cent. of week-day crime, taking Tuesday as the average of the week, as the result of Sabbath sobriety. With such results of a partial execution of a wholesome law, at the very outset, what may not be reasonably expected, when universal respect is secured for its provisions?*

* The Scottish Journal, among other facts illustrating the benefits of the "Forbes McKenzie Act" against Sunday Liquor selling, states that the "decrease of four years in the consumption of ardent spirits is actually \$25,050,560, or nearly a fifth part of the whole previous consumption. The people of Scotland have scarcely drank more

These statistics vindicate, and more than vindicate, the propriety of the demand made by good citizens and by the respectable press for the suppression of the Sunday Liquor Traffic; while they demonstrate the wisdom and efficiency of our police authorities in this behalf, and prompt to increased vigilance and fidelity in the enforcement of beneficent laws.

But they still leave the question for consideration and action as to the source of the remaining drunkenness and disorder on the Sabbath. Should it appear that the protean evil continues its ravages by evasion or concealment, or that it has taken refuge in a still more seductive, but scarcely less ruinous, traffic—claiming the immunity of “national custom” and even of “sacred” affinities—then consistency of principle must necessitate measures for its more thorough eradication. Justice to the Liquor Dealers themselves requires that the business they or any of them have abandoned, for whatever reason, shall not be transacted under another guise. And it is surely due to the community that the partial protection already secured against its deadliest foe, with issues of such positive benefit, shall not be lost by the adroit tactics of the panders to appetite and vice.

Sunday Theatres, “*Sacred Concerts*,” and *Beer-Gardens* may now be regarded as the most undisguised haunts of Sunday dissipation and folly. Trusting to their deceptive announcements, or to their large profits, or to the numbers visiting them, they have continued their invasion of the decencies and proprieties of the Sabbath without intermission during the progress of the effort to suppress a kindred evil. We propose to examine their claims to exemption from the operation of laws obviously as much designed to protect the community from the immoralities of these establishments, as from those of the Sunday Liquor Traffic.

Sunday “Sacred Concerts,” as advertised.

We present literal translations of some of the advertisements in a single number of the *Sunday* edition of the *Daily Staats-Zeitung*, as the most just and impressive method of bringing the evil in question to the knowledge of the reader.

NEW YORK STADT THEATRE, Nos. 37 and 39 Bowery.

Directors, O. Hoym and E. Hamann; Stage Director, A. Meubert; Play

Director, Mr. Knorr; Music Director, Mr. Herwig.

SACRED CONCERT, SUNDAY, *December 11, 1859.*

Musical—Declamatory—Dramatical Evening Entertainment.

than three-fourths of the quantity of spirits consumed under the old law. Thus not only has the *Sabbath drinking been annulled, but the drinking of week-days has also been largely diminished.*”

PART I.—*Overture* to “Nebuchadnezzar.”

[Play.]—“THE CHANGING MULTIPLICATION TABLE;

or,

The Arithmetician and his Daughters.

[Names of principal performers given; four women and eight men.]

PART II.—*Waltz*, Waves and Billows, by Strauss.

[Play.]—“TWO GENTLEMEN AND ONE DRESS COAT;

or,

The Assistant in Necessity.

[Names of twelve performers, as before.]

PART III.—*Mode-Quadrille*, by Strauss.

[Play.]—“THE HELPER IN TROUBLE.”

[Names of twelve performers, as before.]

PART IV.—*Potpourri*, from the Opera of “Martha,” by Flotow.

[Farce.]—“EXTEMPORANEOUS SOCIETY :”

Dramatic performance, with Songs by Mdm. and Mr. Meubert.

Prices as usual.

SACRED CONCERT.

With Serious and Comical Duets, and Solos, and Band Music, in Carl Knuschka's Concert Hall, Avenue A.

SACRED CONCERT, in Constanzer Brewery, 565 and 567 Fourth Street.


SUNDAY, *December* 11. Great and Extraordinary afternoon and evening entertainments. [Performers named.]

These well-known artists will try their utmost, by Comical Duets, Solos and Concerted Music, to entertain my respectable guests.

BUSOM'S FORTUNA HALL, 220 Second Street.

SUNDAY, *December* 11. Great and Extraordinary entertainments by the family Fahn, in the afternoon, 3 o'clock. Dramatic, Humorous Singing, Comical Duets, Dances, &c.

In the evening, at 7 o'clock,

 *Vaudevilles, Operettas and Farces, with Songs.*

Grotesque and Modern Ballet Dancing.

Entrance Free.

HARMONY GARDEN, Essex Street, Nos. 139 to 145.

SUNDAY, *December* 11. GREAT SACRED CONCERT, with Double Orchestra. Entrance Six Cents—*good for a glass of Lager Beer.*

CENTRAL HALL OF THE SOCIAL REFORMERS, 28 Grand Street.
SUNDAY, December 11. *Theatrical Performances.*

EUSTACHI'S VOLKS THEATRE, Fourth Street.

SUNDAY, December 11. GREAT SACRED CONCERT, combined with Musical, Declamatory Performances, 3 o'clock P. M.

"THE CONVERSION FROM TEMPERANCE MADNESS;

or,

Before and After the Election."

Schwank, Farce, in Two Acts.

"*The Magistrate's Daughter*," Vaudeville, in Three Acts.

8 o'clock P. M. "*The People Weeping and Laughing*," with Songs, in Five Acts, and Ten Tableaux. By F. O. Berg and D. Kalisch; Music by Conrad.

Two new decorations painted by Neckmawer:

1. The Park in Berlin, with the Long Bridge, and the Statue of the Elector.

2. Kroll's Establishment in Berlin, with Six Thousand Gas Lights.

Entrance Ten Cents.

TULP'S THALIAN HALL, AVENUE A. SUNDAY, December 11.

Mid-day. "*The Son on a Journey*." In Four Acts.

At 7 o'clock P. M. "THE BEWITCHED PRINCE;

or, *The Adventures of a Shoemaker*."

☞ Imported Wines on draught, and *those who want to get a brick in the hat* [tipsy] may come.

HOME OF THE SINGERS. SUNDAY, December 11.

Great Dramatic afternoon and evening entertainments by the Schiller Association.

"THE RETURN FROM RUSSIA," a *Comedy*, in Four Acts.

"THE BARBER OF SEVILLE," a *Drollery*, in Five Acts.

[The programme of a new establishment, opened *Sunday*, Dec. 25, shows that the "sacred" feature is thought no longer necessary.]

SUNDAY, Dec. 25: GREAT OPENING OF A NEW THEATRE,

In Germania Hall, by Christophe Carl, No. 42 Av. A.

☞ For the first time in America: HOW THE PEOPLE HOWL & ROAR—

Picture of American Customs, in 3 Acts.

Characters: Quisenow, *Alderman*; Munnide, *Mayor of New York*; Schnepcke, a *Thief or Smart Man*; Ferdinand, a *Lover*; Pat. Maloney, a *Jailer*.

Those acquainted with German Artists will identify the performers: discretion forbids our naming them.

☞ Drop scene painted by Roger and Scheierman; Costumes made by Obermaher.

Herewith I recommend my *new Theatre* to the public, having spared

no expense for this performance. At the close, the METROPOLITAN HOTEL, which is the scene of the play, will be shown with 10,000 lamps; and in the background will be seen people, high and low, from the 34 States of Germany. *Entrance Free.*

The number of advertisements of the above character, in a single paper, is usually from thirty to forty. Many similar establishments do not publish their own infamy.* It will be seen that the principal *advertised* attractions are Theatricals, Bands of Music, Songs, Dances, Lager Beer, &c. The arrangements for gambling, shooting, raffling, bowling, and *other conveniences*, would not look well in a newspaper, (the Deputy Superintendent of Police states in his Report, that of "the 580 houses of prostitution and assignation, 170 are *lager* and drinking saloons *combined with prostitution*,") but are familiarly known to many of the frequenters, young and old, of these "SACRED CONCERTS."†

Extent and Character of Sunday Theatres.

Several of these establishments will contain from one thousand to two

* One such establishment, not publicly advertised, contained full fifteen hundred guests on Sunday night, December 11. The performances lasted till after 12 o'clock P. M. Among other scenes, two men representing devils performed a characteristic dance after 11 o'clock. The whole scene, from 7 to 12 o'clock, was described by an eye-witness as "*devilish*."

† A highly respectable German magazine characterizes the Beer-Garden system and its influence:

"The great majority of these pot-house keepers choose this occupation only because they can make an easy and jovial living with the least labor, under the appearance of an orderly and allowable profession. If anything is a disgrace of our German name, our numberless German beer-houses are such. The evil was never greater than now, and hardly can become greater. If all these tap-houses can subsist, it shows what a tavern-visiting, pleasure-seeking nation the Germans have got to be. Their keepers deport themselves as arrogantly as if they were privileged to scorn publicly all order, morals, or reverence for that which is holy. In their advertisements in our German newspapers, they abuse the most sacred language of the Holy Scriptures, and turn it into mockery.

"We are not surprised when men who have been brought up as tavern-keepers in Germany continue in their profession here, and many of them do it in a respectable manner. But the great majority of these low beer-houses are kept by persons who have been trained altogether for other professions. We know men in this country who have formerly been German ministers, school-teachers, military officers, lawyers, physicians, merchants, etc., who have chosen to keep pot-houses, because it requires but little knowledge or capital to retail wine and beer—to become retailers instead of consumers—and because it is the easiest method thus to offer enjoyment to others, instead of earning their daily bread in a regular laborious calling. We see weekly many mechanics, whose trade begins to become inconvenient—such as tailors, shoemakers, etc.—establish pot-houses; calculating on the custom of their nearest countrymen from the different German States, and it seems that they hardly ever miscalculate.

"Among the most respectable Germans, who value the German name, and who are not unconcerned whether a wholesome moral influence or a vicious one be exerted, but one voice prevails in regard to this sad characteristic of their countrymen of our time. And how could we look on without sorrow and shame? The injury done to morals is incalculable, as the doings of our public courts bear weekly testimony. But we know what kind of influence they exert more silently. They everywhere draw fathers away from their families; they consume vast sums of money earned by hard labor which should be employed for useful purposes; they offer temptation to gambling, and excite many low passions by their continuously frivolous character; and they become the source of destruction to the temporal and spiritual well-being of hundreds of families. The whole business, worse than public begging, rests as a curse upon the Germans; their good name suffers under it; and a people who set the tavern-sign highest in their national escutcheon, forfeit all claim to respect."

thousand people; some of the largest, when crowded, are claimed to hold three thousand. They are comparatively little frequented on week-day evenings; but most of them are thronged to their utmost capacity on Sunday, and especially on Sunday night. Several of them give two, three, and even four performances on Sunday—at 10 o'clock A. M.; 3 o'clock P. M.; and at 7 and 10 o'clock at night. Few of them close their doors till 12 o'clock P. M., or later. A large proportion of their guests are youth of both sexes; but there have been seen in many of them children of tender years, drinking their lager and sharing in their sports. Probably, it would be no exaggeration to estimate the number of people gathered in these places on a single Sunday night at fifteen thousand; and the whole number of different persons patronizing them during some part of the Sabbath, at thirty thousand.

The character of the Plays on these boards may be inferred from the titles. "The Devil and the Miller," "The Brigand in Florence," "The Robbers of Maria Culm," "The Dance of the Dead," "Conversion from Temperance Madness," and like "attractions," form the staple of these Sunday exhibitions. Men and women full of *lager* are not over-fastidious as to the quality of a ten cent drama.

Sunday Lager Trade.

The amount of drinking would be incredible but for sworn testimony from drinkers that they had consumed as many as a hundred glasses in a day! The sum annually expended for beer on Sunday in this city alone, (and nearly one half of the entire expenditure is believed to be on Sunday,) must be reckoned by hundreds of thousands of dollars; mostly the hard earnings of apprentices, journeymen, servants, and other working-men and women. Well may the proprietors afford the enormous rents they pay, of \$3,000, \$5,000, and even \$10,000 for the halls they occupy, when they are allowed a Sunday monopoly of a business yielding 300 or 500 per cent. profit on their weekly investment—with no real value and hence no taxation; ever contributing to swell the taxes of legitimate business for the support of pauperism and crime, but freed from the burdens thus cast on honest trade.

Nor is it Lager Beer alone that flows at these "Sacred Concerts." One bar of many may have the blind for the Police and the uninitiated, "*No Liquor sold on Sunday;*" but other parts of the premises are often known to furnish Liquors freely. Few are bold enough to advertise "*a brick in the hat;*" but many supply these "pigtailed." Men who pervert language by calling such performances "*Sacred Concerts,*" do not scruple to pervert law, and to sell whatever will bring profit to their tills.

It is not necessary, for the purposes of this document, to discuss the

question whether Lager Beer is an intoxicating beverage. A "saloon" that should advertise a quality of Lager that did *not* intoxicate, would be deserted. Those who sell it know—often by experience—that it does produce drunkenness; and those who buy and drink it do so for the purpose of unnatural exhilaration—pleasant for the moment, as are all stimulants, but stupefying and enervating when the reaction comes. It is undoubtedly less maddening in its effects than alcoholic drinks; but every consumer knows, as well as the physician and chemist, that taken in considerable quantities and habitually, Lager depraves the appetite and deranges the tone of the system as certainly as Liqueur. Our Police records are full of instances of crime traceable directly to the intoxicating influence of this drink; and there are cases enough of *delirium tremens* caused by Lager Beer to settle the question beyond all cavil. While, as the bridge over the gulf of conscience and self-respect to whiskey-drunkenness, it is perhaps more mischievous than in its direct effects. The fallacy that Lager Beer diminishes the use of alcoholic drinks is disposed of by the *fact of the rapid increase of dram shops* since its introduction into this country.

It is enough, however, for our present object that it is made a regular article of Sunday Traffic—when all such traffic is forbidden by the laws and customs of the land. Were it *nectar*, instead of being as it often is a poisonous decoction, [the Evening Post of June 13, '58, cited the Merchant's Magazine as its authority for enumerating "thirty-eight substances which are employed to give potency, flavor, consistence, and other desirable qualities to this delectable form of grog; among which are marble-dust, opium, tobacco, henbane, oil of vitriol, copperas, alum, strychnine, and other deadly drugs,"] its public sale would still be illegal and immoral on the Lord's day.

Sunday Trade Illegal.

The policy of our Sunday Laws is and always has been opposed to *all* traffic and trade on Sunday; and especially to those branches of trade which pander to the grosser appetites and passions of the people. If the penalties for the violation of these laws are small, they have sufficed to secure general obedience hitherto among American citizens; if they are not sufficient to restrain others, they may and should be increased. These laws have not been imposed by despotic rulers or aristocratic legislators; but they are the voluntary restraint which society has placed on its own selfishness and depravity, and equally on all its members. While securing for all a season of weekly repose and reflection, society has sought to hedge itself around so as to exclude the rapacity of capital and the temptations to vice, either of which would destroy its rest-day. But this object can only be secured by universal respect for law. If a few establishments, or a

privileged traffic, may profit by the general suspension of business,—perverting the very restraints by which morality and religion hold back the masses from labor into a source of pecuniary advantage to themselves—it is easy to see that injustice is done to the mass of good citizens who yield obedience to law. Competition may drive others to engage in Sunday trading, until the Sabbath itself is obliterated, and all protection of the rights of the laboring classes to a season of rest and devotion shall be swept away.

On what ground then shall the traffic in Beer, with noisy and immoral accompaniments, claim a practical and recognized exemption from the operation of these laws, and a virtual monopoly of Sunday trade? Must our ships lie still in their berths, and our factories cease their productions, and our tens of thousands of shops for the sale of books, clothing, provisions, and all other necessaries of civilized life, suspend their business twenty-four hours of each week; and the shops, cellars, and “saloons,” established for traffic in Lager Beer, Segars, and Confectionery, monopolize the trade of fifty-two days in the year? Was it “for man,” as an animal and a beer-drinker, that “the Sabbath was made?” Was it in the interest of Brewers and Lager-Beer dealers that the Laws of the Republic caused the wheels of Commerce to cease rolling, and all branches of human industry to suspend their activities, one-seventh part of each week?

“Sacred Concerts” Unmasked.

But it may be claimed that the “Sacred Concerts,” and other diversions of the Beer-Garden and Saloon, sanctify the traffic, meet a popular want of recreation, and present a claim for exemption from the operation of wholesome laws. Why, the very necessity of concealment for these disgraceful exhibitions under a “sacred” name—“stealing the livery of heaven to serve the devil in”—is a concession that their true character is an insult to the public, and an outrage upon the proprieties of the day. But what must be the standard of morality that can rank as “sacred” the vaudevilles, and comic operas, and libidinous songs and dances, publicly announced, and publicly performed, from Sabbath to Sabbath? And what must be the social and moral condition of the thousands, or tens of thousands, who crowd these performances—substituting the excitements of drink and play, amidst promiscuous throngs, in a fetid atmosphere, for the quiet joys of home, or the ennobling worship of the house of God? What a process is this of self-discipline, without which self-government is an impossibility, and the institutions presupposing it a mockery! What a use is this, of the season beneficently set apart by the Creator for self-culture, for His own worship, and for preparation for heaven! Viewed from any other stand-point than that of the self-interest of the proprietor, and the

self-indulgence of the victim, this whole system of "Sacred Concerts" is a stupendous scheme for money-making and pleasure-seeking, at the expense of popular morality, in defiance of American public sentiment, and in contempt of the laws of God and man.

"Sacred" Literature.

We feel constrained here to utter a protest against the corruption of language and perversion of truth which has grown up with Sabbath-breaking and an anti-Sabbath literature. The actual scenes occurring in these frequented temples of folly are a sufficient outrage on the rights and feelings of the decent community, without attempting to gild iniquity or to blind the public to their real nature by a *misnomer* as false as to inscribe over a house of infamy, "*The School of Virtue*," or to invite custom for a dram-shop as "*The Nursery of Temperance*." The fashion of employing language to express *the exact opposite of its just signification*, has extended to journals whose interests conflict with the moral law. Their vulgar libels against the friends of a quiet Sabbath are indited in the name of "*civil and religious liberty!*"—when their authors deserve to be *indicted* for outraging common morality. A lawless traffic, demonstrably responsible for nine-tenths of the pauperism and crime with which our city is cursed, is defended in the name of "religious freedom!" A calm, principled, forbearing opposition to illegal and demoralizing courses is styled "Phariseism," "Puritanism," "Fanaticism;" the respectable citizens sharing in the movement are "Mawworms" and "Aminidab Sleeks," and "the practice of *Sabbatarians*" is said to be "to give six days to the devil, to lying, and slandering, and cheating, and to nine-tenths of the vices and crimes prohibited by the Decalogue:" while Sunday Liquor and Lager Dealers are the "*good men* to unite against despotism and fanaticism," when "*bad men*, the Sunday-Sabbatarians, combine!!" Why, we have reached a point in the perversion of terms to indicate vice and virtue far in advance of the Spaniards, who only call high-way robbery "*novedad*,"—a novelty; here it would be termed an "obligation conferred on the weary traveller!" A little more, and a parricide would be fêted as a "young gentleman who had suddenly inherited an estate." Shame on the false system that begins by appropriating the Lord's Day to nameless and shameless abominations, and then screens the wrong by perverting language, and by indiscriminate libels on the millions of men who cherish a reverence for the Bible, and the Sabbath, and the Great Author of both!

The New York System in Western Cities.

But this system of Sunday Theatres, "Sacred Concerts," and Beer-Gardens, so prevalent and profitable here, has been extended from the metrop-

olis to all the principal cities of the West, to the dread and disgust of good citizens. So demoralizing have been its fruits, that in St. Louis the people have taken measures for self-protection, and, by a majority of more than two thousand in a popular election, have stamped this, and the kindred traffic in Sunday rum, with their reprobation. A stringent law for the extinction of these evils has been presented to the Missouri Legislature, supported by the entire delegation from St. Louis, with a single exception; and the motion for its rejection was negatived by a vote of ninety-four to seven.* The representative who reported the bill, [Mr. Drake, of St. Louis,] made an impressive exposition of its provisions, and the necessity for them as a "remedy imperatively demanded for a great and alarming evil." Mr. Pilkinton, also a member from St. Louis, said "he had visited *twenty-seven* Sunday Theatres; in one, where he had paid ten cents for admission, he had heard the most obscene songs he had ever listened to or heard of in his life. From close observation during his Sunday visits to the leading saloons, he could fully bear out all that had been said by the gentleman from that city, not only as regards the "cup-bearers," but other infamies which had come under his observation." [The allusions are to Mr. Drake's statement that in some of these places there is "the attendance of *courtesans* serving out lager beer to customers, and, at the same time, making their assignations with such as may be inclined thereto."]

The state of things is substantially the same in Detroit, Toledo, Chicago, Cincinnati, and elsewhere, as in St. Louis, only that the measures for resisting the tide of evil are less energetic, as yet. May it not be hoped that as evil example in New York has tended to corrupt other cities, so the suppression of evil here may stimulate the friends of good morals to successful effort in other great communities.

Are Sunday Lager-Theatricals a National Custom?

The most plausible plea in behalf of the vicious system under consideration is, that it is a "national custom," and is therefore entitled to a liberal construction of our laws, and a large toleration of our authorities and people. The obvious answer is, that national *vices* have no claim to be regarded as "national customs," and if they had, that it would not warrant their importation from despotic kingdoms and their domestication in a christian republic.

Whatever latitude may be allowed under the despotisms of the continent to popular amusements on the Sabbath—according to *Hallam*, avowedly "to keep the people from speculating on religious and political matters, and because it renders them more cheerful and less sensible to the evils of their condition"—they are restrained by a vigilant and powerful police,

* The Bill has passed the Legislature by a decided majority, since this document was in type.

backed by vast standing armies, from such indecencies and excesses as disgrace the boards of *our* Sunday Theatres and Beer-Gardens. The "hells" of Homburg and Baden-Baden, are gentlemanly and civilized resorts compared with the orgies of Jones' Woods and the Volks' Theatre. In many parts of the continent of Europe, and especially in the agricultural districts, the whole system is unknown. It is in the corrupt capitals and larger cities alone that it is tolerated; and even there, it is only tolerated—the protest of the more moral and considerate classes, whether Protestant or Catholic, having been repeatedly and earnestly uttered. It is not, then, in any proper sense, "a national custom" that appeals to American citizens for their forbearance, but rather a foreign vice, or a complication of vices, seeking to be naturalized on our soil.

Are "National Customs" entitled to Naturalization?

But if it were a national custom, it would not follow that it might claim a home among us. Bull-baiting and cock-fighting are national customs of Spain—recognized by her laws and patronized by her court, nobility, and people. Shall they, hence, be foisted on this land? The sports of the ring are common in England: our laws reprobate and punish them. The Carnival is an Italian custom: would it be tolerated here? Polygamy is a Turkish custom: the laws of every American State make it a crime. There are specialties of this nature more or less intimately connected with the national life of the several races and kingdoms of the earth. Will any one claim that the right of immigration involves that of importation of the very vices which have been the cause of popular degeneracy and despotic rule abroad—nay, which have compelled impoverished and oppressed millions to seek a land where a sterner morality has rendered a free government possible? Or, does not the voluntary election of our institutions, civil and religious, imply acquiescence in whatever restraints we have found necessary as the conditions of a government of law, and the abandonment of such "customs" as are offensive to a civilized and christian people? Is not the full tale of liberty meted out to ourselves—the utmost that is consistent with the safe working of free institutions—enough for those who never enjoyed any considerable measure of civil or religious liberty till they landed here? Emigrants from all lands are welcomed, with but the slightest probation, to the enjoyment of equal rights and privileges in the magnificent patrimony secured to us by the virtue and heroism of our fathers. They can acquire property, go to the ballot-box at every election, attain any office for which they aspire and are deemed worthy, and exert all their influence in the control of public affairs. They may worship as they please, where they please, or not at all, if so inclined. There is not a burden of a hair laid on foreign shoulders beyond that on the shoulders

of every American. What more can be asked? *More has been asked—and taken.* The whole system of Sunday follies, of which we complain, is of a sort that Americans never allowed to themselves: *they cannot grant it to others* without sacrificing vital principles, and paving the way for a wise government of law to succumb to a cosmopolitan mob.

How are our “national customs” dealt with in the old world? The Ballot, Freedom of the Press, travelling without Passports, &c., are common here. Why should not the American abroad insist on voting when he pleases, publishing what he pleases, and going where he pleases? Common sense answers: simply because he has voluntarily placed himself under governments, institutions, and customs different from those of his native land; and, unless he is prepared for revolution or outlawry, he acquiesces in the laws and usages he finds in vogue, until he can persuade the people or governments where he dwells, that his notions are best; or until he can decently take himself out of the way.

Sabbath Customs in the United States.

The relation of this discussion to the topic in hand cannot be mistaken. Perhaps there is no one custom more fixed and distinctive among us as a nation than the almost universal regard for the Christian Sabbath.* Painful as are the exceptions, the rule throughout the United States is, to devote one day in seven to purposes of rest and devotion. The most industrious people in the world—perhaps the most avaricious—by common consent, suspend their worldly toil, and millions of them resort to the temples of religion, and their children to the Sunday-school. At least nine-tenths of the American-born population, and probably a large majority of the foreign-born, esteem the Sabbath too sacred to be spent as a frivolous holiday. It has been so from the settlement of the country, and the existence of our confederacy. The laws of every State in the Union—with a single exception—recognize this national sentiment, and embody it in Acts prohibitory of needléss labor and of vicious public amusements. With trifling exceptions, the Christian churches, of every name, regard the Sabbath as a day to be kept holy unto the Lord, and to be employed in acts of religious worship and charity: so that millions of our citizens are grieved, and justly grieved, as they think, by a systematic perversion of the day into a mere carnival of sensuous pleasure.

Now, the question is not whether these convictions are well or ill founded—that can be discussed at another time: nor whether the Sabbath

* The venerable French scholar, *Duponceau*, said, “That of all we claimed as characteristic, our observance of the Sabbath is the only one truly national and American; and for this cause, if for no other, he trusted it would never lose its hold on our affections and our patriotism.”

is or is not a divine institution ; nor whether American views of the Sabbath are more or less just than Continental notions :—but, *whether the Sabbath, thus entrenched in the affections, usages, and laws of the American people, shall not be respected by our foreign emigrant population, and their Sunday customs, of whatever sort, conflicting with its quiet and trampling upon its sacredness, be forborne ;—at least until public sentiment shall be so revolutionized as to accept the holiday of Despotism in place of our holy-day of Freedom, and until the laws expressing the immemorial and existing views of this country shall be modified to suit European laxity, or repealed altogether—for the benefit of Lager Dealers and Sunday Theatres.*

Sunday Theatricals an Invasion.

It surely needs no argument to prove that the system of Sunday Theatres and Beer-Gardens is as utterly inconsistent with the spirit of our American Sabbath as it is with any code of morals higher than that of Atheism. Even the lowest view, that simply accepts the weekly leisure and rest from toil, must repudiate the congregation of thousands in over-crowded and ill-ventilated halls, with all the excitement of drink, and dance, and play, and the varied temptations to vice held out to young and old in these haunts of noisy mirth. *It is not rest:* it is dissipation and rioting that comes from such scenes. But the broader view of the social, intellectual, and spiritual nature, and of the culture necessary to the right discharge of domestic, civil, and religious duties, and taking into the account the destinies of an immortal being—all of which to the laboring man stand associated with the proper use of Sabbath hours—makes this system of Sunday revelry and folly a crime against himself, his family, his neighbor, and his Maker. No man has a *right* to embrate himself, and expose society to the depredation of ungoverned passions, stimulated by a resort to the Theatre and the Beer-Garden, on the day made to hush human passion and sin, and to school the soul for citizenship here and on High. And no set of men may innocently indulge their own selfishness at the expense of the money and morals of their neighbors, by placing snares and pit-falls along their pathway, and exulting over their destruction with songs and dances, and “sacred concerts.”

Our Native Stock of Virtue not Inexhaustible.

We have spoken thus far chiefly of the influence of a Lager-beer Sunday on our foreign population : what is it, and what is it likely to be, if naturalized, on our children, clerks, servants, and the classes exposed to its seductions ? It may be that the boast of a speaker at the Turner's Festival at Cincinnati is well-founded : “We *Germans* may drink as much as we please ; the capital stock of our intelligence and character is so great, that

even, with our good-will, we cannot exhaust it!" We *Americans* are not thus gifted. Our "capital stock of intelligence and character" has accumulated by generations of pains-taking—with all the appliances of schools, and churches, and domestic training, and self-discipline, and the varied elements of a Christian civilization; and our institutions are the outgrowth and expression of the organic life of a people thus tutored. Considerable as we believe this "capital" to be, it is far from being "inexhaustible." If it shall have a weekly outward current, as Sunday beer flows in, half a generation will see the last of it. If our inspiration is to be drawn from the beer-barrel instead of the Bible, and our Sabbath is to be "sacred" to Gambrinus and not to God, then even the superadded "capital of intelligence and character" of Lager—beer-dom will not enable Americans to save the institutions bequeathed to them. It cannot be denied, and need not be concealed, that there is much in human nature to respond to the seductions of the Sunday theatre and "sacred concert." There is a vast juvenile population, uninstructed still in morals and religion, ready for any cheap Sunday sport. And there may be thousands of the sons of respectable and even pious parents to whom the restraints of the Sabbath are irksome, and whose consciences are quieted by the blind of "sacred" performances. These and other classes may be willing to accept a foreign custom, ignoring its antecedents and its consequences; as the foreign panderer accepts our liberty, ignoring its conditions. It cannot be doubted that a vast process of demoralization is thus going on among our native population through these imported vices. Self-respect and self-protection demand that this process should be stayed, while some part of our "capital of intelligence and character" abides.

Influence of the Holiday Sunday System on Mexico.

While there is a conceded necessity for occasional recreation and popular diversion,—of which the evenings of the week furnish a somewhat liberal supply, to say nothing of our recognized holidays,—the effects of an undue devotion to vulgar amusements, and of the habitual violation of the Sabbath for this purpose on the character and destiny of a nation, are impressively illustrated in the unfortunate career of our neighboring Republic. The intelligent regular correspondent of the *New York Times*, when portraying the causes of the decline of *Mexico*, wrote last summer as follows:

[After describing the dissolute character of Sundays and the scores of fast and feast days of Ecclesiastical or Governmental appointment—on which "all manner of amusements are attended by all classes of people of both sexes," the writer proceeds:]

"The tax laid upon the time and energies of the nation by these feasts

amounts to about one-third of the best force of the country, which under better rules would be devoted to the accumulation of private wealth and increasing the public revenues. Besides the apparent loss occasioned by the great number of Mexican feast days, there is a loss to the nation of still graver importance, which is to be found in *the demoralization of the people*. It is a notorious fact that on *Sundays* and the other feast days *the consumption of spirituous liquors is from forty to fifty times greater than on laboring days*. *The consequence of this extra consumption of spirituous liquors is to be found in the squalid misery and prostitution of the lower classes*. Some reason that those things would be under all circumstances. To let such people keep their false promises, we have still more forcible examples of the evil effects of feast days, in the extra number of assassinations and imprisonments for drunkenness and murder on those days. *Sundays and other feast days produce on an average from five to seven murders each!* How many imprisonments it is difficult to say. But I am very safe in asserting that each feast day in the Mexican calendar will show a greater number of killed and prisoners—in the city of Mexico alone—than the average run of *pronunciamentos* and battles of the country!

* * * "Taken all together, the feasts of Mexico are a great and destroying curse to the country. They feed the vilest passions of a weak people, and do no good to society or individuals. The religious feasts give occasion for more debauchery than they do for religious worship; and all the other feasts are bad, without having a single redeeming quality. *Until they are stopped, one and all, excepting the Sabbath, Mexico will be just what she is—a weak, demoralized, and decaying nation.*"

Is not Mexico nominally a Republic? Why the failure of her institutions, and the stability of ours? Our citizens have been trained to habits of industry, morality, and religion, under the influence of the Bible and the Sabbath: hers have given themselves up to self-indulgence—"the vilest passions of a weak people" have been "fed" by holiday pastimes and vicious pleasures "without a redeeming quality"—and she is hence "a weak, demoralized, and decaying nation." So shall we be, if we let go our anchorage of the Word and Day of God, and accept in their stead the childish vanities and the profane mockeries of a godless holiday régime.

Are Sunday Laws Constitutional?

But is there power to restrain the class of offences against good morals and the public peace under consideration? If there be not, then society is defenceless against a foe as insidious as terrible. If certain American and German Journals are to be credited, the extremes of folly and wickedness may claim immunity under "constitutional" guarantees! "The Constitution of the State of New York," says one of these *Daily* apologists for Sunday rowdism, "prohibits any preference to be given by law to the opinions of *one religious sect* over another. *All Sabbath laws are*

therefore in opposition to the State constitution. * * The time has gone by when people can be compelled to follow the religious observance of any sect by legislative enactments, and when men can be made pious by the law of the land."

What! cover a system of unmixed iniquity by claiming for it a "sacred" character, and then demand protection for it on the score that "the constitution prohibits any preference to be given by law to the *opinions of one religious sect over another!*" There is a heaven-wide difference between "religious liberty" and *irreligious license*: between "freedom of conscience" and freedom of *passion*. The one is secured by the constitution; the other it is the design of constitutions and laws, human and divine, to hem in and hedge about. Why, the very article of the constitution thus shamelessly wrested from its object, rebukes the insult to common sense and to religious freedom, when it farther provides that "the liberty of conscience hereby secured *shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of the State.*"

"All Sabbath Laws are *therefore* in opposition to the State constitution?" Wherefore? What part of the constitution? What "sect" is established or preferred by laws prohibiting Sunday rum-selling and subterranean theatricals? Irreligious and immoral practices are not "religious opinions." The only constitutional shelter for the newly-discovered "sect" must be the clause above quoted—which its organs have never yet seen fit to publish.

"The time *has* gone by when people can be compelled to follow the religious observance of any sect, and when men can be made pious by the law of the land:" for its only existence in this country is in the imagination that cannot discriminate between a place of Christian worship and a Sunday Dram-shop, nor between a free conscience, and free rum. If men cannot be "made pious by law," it does not follow that they may be made *impious* against law.

But a German daily paper in this city goes still farther, and declares: "In religious matters there shall be *anarchy* throughout the Union; thus the constitution decrees. [Where?] We would protest against all Sunday Laws which *the people might impose upon themselves by their own majority. We do not submit, in the Sunday question, to the decision of the population,*" etc. It will be seen subsequently, that German sentiment is misrepresented by this Journal: but it may be supposed to indicate the tone of feeling of the Lager-beer interest. Coupled with the counsel of the editor of another journal in this city, at the Volks Garden meeting, to resist the authorities who should attempt to interfere with Sunday theatricals, etc., "*by force,*" it presents the question whether American Law or German appetite shall be

the rule in matters vitally affecting the moral welfare and civil rights of this country. Practical "anarchy" is one thing; anarchical and revolutionary principles, boldly avowed, are a novelty among us: it remains to be seen whether a people accustomed to respect law and the will of majorities will succumb to them. When our German fellow-citizens come to understand that all the liberty an American citizen has, or needs, whether native or foreign-born, is the power to do whatever may be beneficial to himself and not injurious to his neighbor nor to the State, they will cease the advocacy of principles as inconsistent with all free government as they are subversive of our own.

We would commend to those who write in a foreign language, of constitutions and laws they cannot be supposed to have studied, the expositions of *Marshall*, *Story*, or their own *Prof. Lieber*. They will find the latter, in his work on CIVIL LIBERTY, remarking: "The great mission which this country has to perform, with reference to Europe, requires the utter divorce of State and Church—NOT RELIGION." Judge Story well says: "It is impossible for those who believe in the truth of Christianity, as a divine revelation, to doubt that it is the especial duty of government to foster and encourage it among all the citizens and subjects. This is a point wholly distinct from that of the right of private judgment in matters of religion, and of the freedom of public worship according to the dictates of one's own conscience." Our State constitutions recognize this principle—securing to *all* the opportunity for unmolested worship; but not warranting the grossest immoralities under the plea of "sacredness," or on the score of "*religious* freedom."

If Christianity be a part of the Common Law of the land, as decided by our courts, and the Common Law be recognized as of equal authority as our Statutes, may not practices palpably inconsistent with the spirit of that law, and in direct conflict with the opinions and usages of the Christian community, of all denominations, be restrained? We are not less but more a Christian nation that we have and wish to have no established church; and that deep down in the heart of the people the conviction lies that "righteousness exalteth a nation"—such "righteousness" as is inseparably associated with the holy keeping of the Sabbath, and irreconcilably opposed to the perversion of that day into an occasion of senseless popular folly and dissipation. The significant fact that in all the discussions which have arisen respecting our Sunday Laws, the journals opposed to the Sabbath have invariably ignored their *real* provisions and caricatured their object—without once informing their readers what the laws are, and what the practical issues have been under them,—is conclusive evidence that the laws *as they are* and as they are executed contain no oppressive or unreasonable provisions.

Of our Sunday Laws it may be enough to say that they have existed, in various forms, from early colonial times, and from the foundation of our several State governments. The only decision against their constitutionality was pronounced by a California judge, whose subsequent acts do not add special weight to his legal opinions. We have not known of any serious opposition to them, excepting from parties whose interest or appetites render their restraints irksome. Of their propriety and necessity no reasonable doubt can be entertained. No one, we suppose, will question the right of the Legislature to restrict the legal term of daily labor to ten hours; is there any more question of its right to restrict the number of working-days to six in a week? The right to restrain the sale of intoxicating liquors on election days is undisputed; may not the same right be exercised as to the day of weekly leisure? Theatrical exhibitions and various shows can only be publicly given under a formal license therefor; may not conditions as to time and circumstances be inserted in their licenses? The Legislature enacts that boys under fourteen shall attend no theatrical exhibition; may it not consistently direct that those exhibitions shall only be held on secular days?

As to the adequacy of existing statutes to the suppression of the specific evils now exposed, it is not our province to determine. It is clear that none of them contemplated such vast organized and complicated methods of popular corruption as have come into vogue; else the penalties would have been more proportioned to the offence. But it is believed that the spirit and letter of the laws and ordinances designed to prevent all traffic on Sunday, especially the trade in intoxicating liquors; the laws against gambling at all times, and the general authority of the Police Department "to prevent crime," "to preserve the public peace," "to protect the rights of persons and property, and to see that all laws relating to the observance of Sunday, and regarding gambling and intemperance are properly enforced,"—if carried out with firmness, would abate most, if not all, of the evils under consideration.

Or, should it be found that a dangerous and demoralizing system has grown up, for which there are no adequate restraints,—because no Legislature of former years was apprised of the existence of such flagrant wrongs,—may it not be claimed that our Legislators shall frame and enact such statutes as the exigency demands? Can there be a doubt that a vigorous public sentiment would sustain the execution of such statutes?

German Sentiment on the Sunday Question.

It should not be forgotten, that besides the almost universal conviction among citizens of American birth, that on humane, sanitary, patriotic, or religious grounds the christian Sabbath should be guarded from frivolous

or demoralizing uses; no inconsiderable portion of the immigrant population, and especially the emigrants from Germany, have accepted the American views on this question, at least so far as to earnestly reprobate the infidel and atheistic notions and practices of a later and looser emigration. Thus, the leading influences in the Roman Catholic body cannot but be hostile to a system as irreligious as it is demoralizing. The Lutheran body as a whole—by far the largest Protestant German sect—is understood to repudiate the scandalous system which falsely pleads the name of the great Reformer of Germany as a cover for its excesses. The German Reformed Church—the next denomination in size to the Lutheran—at the last meeting of its General Synod, in Harrisburg, Pa., uttered its “solemn testimony against the movement in opposition to that christian observance of the Lord’s day which has hitherto distinguished us as a nation, as calculated not only to undermine the foundations of our free institutions, which rest greatly on the virtue and piety of the people, but also as at war with the physical, mental, and moral good of our citizens.” The resolutions embodying this testimony were passed *unanimously*. All the minor German christian denominations are believed to occupy a similar position.

The memorable expression of popular sentiment among the Germans, made at the recent meeting in *Cooper Institute*, (October 16, 1859,) when fifteen hundred of them arose from their seats to affirm their approval of the following resolutions, would show that our German fellow-citizens may be largely classed among the friends of Sabbath observance:

Resolutions of 1500 Germans at Cooper Institute.

“*Resolved*, That we, as Germans, do solemnly protest against the perversion of Sunday from a day of rest and devotion into a day of noisy excitement and dissipation, which is only too frequent among some of our German countrymen, and brings dishonor on the German name; and that we request our fellow-citizens by no means to charge the fault of many upon the *whole* people and upon Germany, where for many years past noble efforts are successfully making towards the promotion of the better observance of Sunday.

“*Resolved*, That we regard the strict observance of Sunday which was introduced into this country with the very first settlements of European immigrants, and has ever since been the common custom of the land, by no means as a defect, but on the contrary as a great advantage and blessing to America, and we will cheerfully assist in keeping it up and handing it down to future generations.

“*Resolved*, That in the Sabbath Laws of this country, as they obtain in nearly every State of our great republican confederacy, we see nothing that conflicts with the cherished principles of civil and religious liberty; on the contrary, we regard them as one of the strongest guarantees of our free institutions; as a

wholesome check upon licentiousness and dissipation, as a preventative of the pauperism and crime which must necessarily undermine and ultimately destroy the liberty of any people."

It cannot be doubted that the vast body of Germans, who comprise so industrious and useful a portion of our agricultural population, sympathize with the spirit of the above resolutions. It is in our cities, among the sceptical and radical elements of society, that the men are found to sink all moral considerations in those of selfish greed or corrupt appetite, and for the sake of both, to defy both human and divine laws, and the prevailing public sentiment of the country of their adoption, as well as of the better disposed of their own emigrant countrymen. One of the latter, an eminent German writer, expresses his "disgust" at the "apeing of German national festivities and Sunday amusements in America"—comparing it with the effort of "a party of monkeys from a tropical climate to try their antics on polar ice-fields—expecting that the polar bears will jump and dance with them!" or with "that northern summer of which H. Heine says, it is no proper summer, but rather 'winter painted green!'" Whatever may be true as to the implication of coldness in our American social life, there can be no question as to the absurdity and the wickedness of obtruding upon us the monkey pranks of the "Sacred Concert" and the Beer-Garden. But the object of this citation is simply to show, as we might by extended quotations from German writers, that this whole system of Sunday pleasure-seeking is an offence and a scandal to the right-minded Germans themselves, who would be the first to hail its extermination

Conclusion.

We have thus sought to interest the public in a question of no inconsiderable moment. A vast, organized, and rapidly extending system of Sabbath desecration and popular demoralization has sprung up under the concealment of a foreign language, and of false announcements. Scores of theatres give public entertainments, with comic songs and dances, on the day and at the hours of public worship. Thousands and tens of thousands, especially of the young, resort to them for drink, play and revelry. We have shown that this system cannot justly plead for forbearance as a "national custom," because of its excesses, and because the rights of emigration do not imply the right to import and naturalize foreign usages and especially foreign vices. We have shown that the organic life of this country is that of a Christian Sabbath-keeping nation; that whether the views almost universally cherished here are right or wrong, they are to be respected *because they are American views*, by those coming from other lands; and that it is an impertinence to invade our institutions and laws by practices known to

be inconsistent with the spirit of both—such practices as have made a neighboring republic “a weak, demoralized, and decaying nation.” We have demonstrated the absurdity of the objections to the constitutionality of laws in the interest of good morals, of immemorial authority, and have sought to free the German population as a whole from complicity with lawless views and practices.

We now commit this question to our authorities, Judicial, Executive and Legislative, and to an intelligent community. Every citizen has an interest in preserving and perpetuating an orderly Sabbath, and in guarding it from such invasions as are herein exposed. Even the parties to the wrong of which we complain would be more “healthy, wealthy and wise” by the removal of the temptations to wicked and idle indulgence in the Sunday saloon. And, as a community responsible for good or ill example over a continent, do we not, in addition to every motive of self-preservation and self-respect, owe it to other cities to purge ourselves of a system of Sunday profanation so scandalous, demoralizing, and indefensible as that of our Sunday theatres, “Sacred concerts,” and Lager-beer saloons?

NORMAN WHITE, *Chairman.*

HENRY J. BAKER,
E. L. BEADLE, M.D.,
NATHAN BISHOP,
WILLIAM A. BOOTH,
ROBERT CARTER,
WARREN CARTER,
THOMAS C. DOREMUS,
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WM. A. SMITH,
WILLIAM TRUSLOW,
W. F. VAN WAGENEN,
WILLIAM WALKER,
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Sabbath Committee.

JAMES W. BEEKMAN, *Recording Secretary.*

RUSSELL S. COOK, *Corresponding Secretary.*

J. M. MORRISON, (Cashier of Manhattan Bank,) *Treasurer.*

SABBATH COMMITTEE'S OFFICE, 21 BIBLE HOUSE, NEW YORK.

 Orders for this Document may be addressed to the Secretary as above. Price, \$2.50 per hundred.

PROGRESS

OF THE

SABBATH REFORM.

1. Suppression of the Sunday Liquor Traffic—History and Results.
2. Sunday News-Crying Abolished.
3. The Broderic Sunday-Pageant—Protest.
4. Sabbath Sentiment and Labors among the Germans—Volk's Garden and Cooper Institute Meetings.
5. German Theatres, Sacred Concerts and Beer-Gardens.
6. Co-operation of the Periodical Press.
7. Opposition of the Sunday Press.
 1. Constitutionality of Sunday Laws.
 2. Morality of the Sabbath.
8. Progress in other cities, and in Europe.
9. Conclusion—Narrow Issues—Quiet Methods—Opposition Unmasked—Manly Action Invoked.
10. Great Public Meeting—Proceedings and Addresses.

DOCUMENT No. XII

OF

THE NEW YORK SABBATH COMMITTEE.

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1860.

Progress of the Sabbath Reform.

It is due alike to the Committee and the public that the cheering events in the progress of the Sabbath Reform should be placed on record, as a memorial of the Divine goodness, and an incentive to future exertions. They are believed to have a significance and a scope of pregnant interest, not merely in the city which forms the principal scene of their occurrence, and for the passing hour; but wherever the Christian Sabbath is invaded, and whenever its friends shall seek to guard its sanctity. Nor is their value lessened by the fact that the results already achieved have been attained in a great city, whose population is largely composed of heterogeneous and hostile elements; with authorities partly committed to interests unfriendly to this Reform; with powerful and amply endowed combinations, ready to turn to account any mistaken movement, and to contest every wise one; and in the face of powerful presses, whose selfinterest conspired with their hatred of legal or moral obligations to render their opposition fierce and unscrupulous. If such results as are hereafter recorded may be reached in these circumstances, it would seem that wise and patient efforts, under more favoring auspices, might, under the blessing of God, secure all that is needed in restraining the open profanation of the day of rest.

Suppression of the Sunday Liquor Traffic.

The leading enterprise of the past year has aimed at the suppression of the Sunday Liquor Traffic. A brief history of it will not be out of place in this document.

The circumstances of discouragement at the outset of the effort to close more than 5000 Sunday dram-shops need not be recapitulated. It is enough to say that nothing in the constitution or condition of the municipal authorities, judicial or executive; in the state of public

sentiment; or in previous attempts at city reform, encouraged the undertaking. The Metropolitan Police Commissioners, after lodging 26,000 complaints for the violation of the Sunday Liquor Law with the prosecuting officers, *none* of which had been prosecuted to conviction, say in their Report to the Legislature, Nov. 1858: "Unless the Legislature shall compel the observance of the day by severe penalties, and by summary proceedings, the onerous duty of reporting its desecration will be useless." The deep conviction of the necessity of prompt and manly action, and the confidence that a vigorous public sentiment might give adequate energy to existing laws, and efficiency to their administration, induced the committee to undertake a movement surrounded with so many difficulties.

After protracted inquiry and deliberation, the issue was joined with this gigantic evil, in a document (No. 5) issued in February, '59, entitled, "The Sunday Liquor Traffic," of which some 7000 copies were circulated gratuitously. The facts and views of this Pamphlet were made the basis of an able popular discussion by the Press, and the reform was advocated with special ability by all our respectable daily journals. Public sentiment rapidly assumed a tone of calm determination that admitted no farther parleying with an unblushing outrage against law and right and religion.

With the view of concentrating public opinion, and securing the action of the department charged with the execution of laws and ordinances affecting this evil, a *Memorial of Citizens* was prepared, setting forth its nature and extent, as shown by the Presentments of successive Grand Juries; by the statistical records of the Police Department, and by other authentic data; and appealing to the Commissioners of the Metropolitan Police, in virtue of their organic Act, and to the extent of their powers, to interpose for the Protection and Relief of the city from this demonstrated cause of Pauperism, Taxation and Crime. A Digest of the Laws and Ordinances against this Traffic, and other bases of the memorial, accompanied the paper. It received between 500 and 600 signatures of our most influential citizens in a few hours: enough to show that all classes and conditions of right-minded men, without regard to sect or party, concurred in sentiment as to this matter. A similar memorial in the German language had more than 400 signatures of Germans. The two memorials were presented to the Commissioners, May 27, by a joint Delegation of American and German citizens—Pelatiah Perrit, Esq., at the head of the former, and Mr. John Möllér of the latter. The memorials were referred to the Committee on Laws and Ordinances.

[The two memorials in English and German, with the newspaper

discussions growing out of the movement, constitute Documents Nos. 7 and 8, more fully noticed hereafter.]

A "Remonstrance" and "*Counter-Memorial*" were presented to the Commissioners, July 3, signed by 446 Americans, and 742 Germans, all of them claiming to be "*voters.*" A comparison of their names with the Directory showed, however, that of the 446 American "Remonstrants" against the enforcement of laws to restrain Sunday tipping, 118 were *non-residents*; 241 *could not be found in the Directory*; 38 were Liquor Dealers, or other interested parties; and the remaining 49 were "clerks," etc. Of 500 German names examined, 104 were non-residents, 180 could not be found in the Directory, 36 were Lager or Liquor Dealers, leaving 180 qualified petitioners.

Action of the Police Commissioners.

At the meeting of the Police Board, July 8, Mr. Stillman in the chair, and all the Commissioners being present, Judge Ulshoeffler, on behalf of the Committee on Laws and Ordinances, submitted the following report, which was *unanimously adopted*:

"The Committee on Laws and Ordinances having considered the petitions for, and remonstrances against, the enforcement of the existing laws relative to the observance of Sunday, respectfully offer the following resolutions:

"1. This Board is bound by its organization to enforce the laws as they exist; it being a well-settled principle, that the administrative departments cannot excuse enforcing a law, on the ground of doubts as to its conflicting with the spirit of the Constitution.

"2. The Christian religion is that which has always existed since the settlement of the country, and now exists in these United States; recognized and professed by the masses of the people of various religious denominations, and nearly all of which regard the Christian Sabbath as part of their religion.

"3. That the highest judicial authorities regard the Christian religion as the prevailing religion of the country, and that the protection of the rights of all other religions must still leave the principles, practices, and laws of the whole Christian community paramount, and in full force.

"4. That the true principles of religious liberty do not allow the smallest portions of the community to call upon the great masses of the people to abandon the enforcement of those Sunday laws which have existed since the settlement of the country.

"5. That present abuses in disregarding the Sunday laws, particularly in public exhibitions on Sundays, and trafficking in liquors and other like things, should, as far as the law allows, be prevented by the whole power of the police force and of the magistracy.

"6. That the laws of the land, in conformity with the opinion of the masses of the people, in regard to moral principles and practices, and for the punishment of transgressors *any day of the week*, are not to be disregarded or repealed, because of peculiar notions of morals entertained by small portions of the community."

These important Resolutions take higher ground than that claimed by the Memorialists, and furnish a basis for all needed Reforms for the restoration and protection of our civil Sabbath. And their *unanimous* adoption by a Board composed of men of various parties and

creeds would seem to argue the existence of a united public sentiment on the main principles underlying the Sabbath Reform. Whether "the whole power of the Police force and of the magistracy" has been, as yet, employed to "prevent the present abuses in disregarding the Sunday laws, particularly in public exhibitions on Sundays, and trafficking in liquors and other like things, *as far as the law allows,*" may be doubted. It is the opinion of competent counsel, and the opinion has been expressed from the Bench, that the organic act of the Police Board authorizes the Commissioners "to order the Police to close up the places where intoxicating liquors are sold; to guard the premises, and restrain persons from going into them; and to arrest persons selling liquors contrary to law without a warrant, if the act is committed in their presence;" and farther than this, that the neglect of a policeman to make such arrests for a violation of the Laws of the State, committed in his presence, is itself a *misdemeanor*. [See sec. 22 of Metropolitan Police Act.]

It may be worthy of consideration whether the time has not come for the exercise of these reserved and unused powers, inasmuch as Prosecuting Officers and Courts of Law fail to execute the Laws under which the Commissioners have hitherto proceeded.

Action of the Police.

Almost simultaneously with the presentation of the Memorial of Citizens, the then Acting-General Superintendent (Carpenter) stimulated the action of the Captains of Precincts and Patrolmen; and in some Wards the Sunday traffic was considerably checked before the accession of the General Superintendent Pillsbury, and in advance of the action of the Commissioners. Many members of the Department entered with spirit on the enforcement of the laws, the constant violation of which was the known cause of a large share of their burdens. The way was thus prepared for the new General Superintendent, when he entered on his office (July 3), to prosecute this and kindred measures of Reform—ample powers being pledged for this purpose as the condition of his acceptance of the important position. After a sufficient interval to survey the ground and mature his plans, he issued a General Order (Aug. 9) to the Captains of Precincts, directing them to "instruct the members of their command to see that all places in their Precincts where intoxicating liquors are publicly kept or sold on Sunday shall be closed in future on that day." This order was generally obeyed; and the *public* exposure and sale of liquors on Sunday, thenceforward, became the exception and not the rule, with results hereafter to be noted.

Action of Courts of Law and Excise Commissioners.

Meanwhile, some of the almost innumerable complaints lodged by the Police in the District Attorney's Office were moved for trial in the Court of Common Pleas, *Hilton*, Justice. Thanks to the firmness of the Judge, and the altered tone of public sentiment, an

impartial Jury was obtained with no little difficulty.* In twelve successive cases verdicts were rendered and fines imposed according to the statute. The counsel of the Liquor-dealers excepted to the ruling of Judge Hilton on some points of law, and an appeal was taken to the Supreme Court in the twelve cases—the legion of suits remaining to abide the event. It was reasonably expected that a matter of such moment, affecting the interests of many thousands of dealers, and so vitally related to public morals, would have had an early hearing—especially after the unexplained and unpardonable delay of one or two years in bringing the suits to trial at all. But nearly nine months have passed away (the trials occurred in *June*, 1859); and the intimation is now given that not until the return of the prosecuting officer deputed to try these suits, will argument be had,—with a decision, *when?* Are other public interests than those affecting the business of rum-selling similarly trifled with? It is certain that *Sunday street-preachers are fined and imprisoned on the day of their offence!*

The Excise Commissioners, whose office was so nearly a sinecure that the whole number of licenses issued in 1858 was less than 100—or about *one* per cent. of the dealers,—entered on more vigorous action, the Police authorities having furnished the names of many thousands of unlicensed venders for their consideration. It seems that 357 inn-keepers, grocers, &c., were licensed during the year; and that “suits for violation of the License Law have been commenced against 8,628 persons.” Some convictions have recently been had against Sunday dram-sellers on suits prosecuted by the Excise Commissioners under the Act of '57; and the intention is avowed to continue the suits. Meanwhile, more than 95 per cent. of all the dram-shops in the city violate the law of the State by every sale of intoxicating drinks on *any day of the week.*

The Liquor Dealers' Association.

Perhaps a partial explanation of the difficulties and delays attending the effort to suppress the Sunday Liquor Traffic may be traced to the existence of a powerful secret organization, known as the “Liquor Dealers' Association,” composed of more than *six thousand* members, mostly of foreign birth. The ample funds of this body are furnished by an initiation fee of twenty-one dollars, and an annual payment of four dollars by each member. The objects of this association may be inferred from facts brought to light by the explosion last summer of the Brooklyn organization—the seceding party laying down a *new basis* for their association, to the effect that there were to be “*no forced levies upon its members for the purpose of influencing courts, public officers, or paying imaginary counsel fees; no dictation of political parties who they shall have for candidates,*” etc. Besides the occasional boast of political power and success in behalf of this

* The law reporter of the *Times* says: “*Four-fifths* of all the jurors called were liquor-dealers, or were particular friends of that class. How they came to be present on these particular trials, does not clearly appear.”

organization, there have been manifold indications of its restraining and disturbing influence in the administration of public justice whenever the rights of the people and the lawlessness of the liquor interest have been in question, as the Excise Commissioners avow, and as every magistrate knows.

The course pursued by the Sunday Press in this conflict between the friends of law and morals and the antagonists of both will be noticed hereafter. It is enough to say here that all that could be done by the multiplication of false issues, and by the abuse of the Police Commissioners, the Superintendent of Police, the Sunday Liquor Traffic Memorialists, and the Sabbath Committee, was done, and was persisted in to the last: without a grain of justice—and *without a word of reply*.

The attempts to enlist party support, or to form a new party on a *No-Sunday* platform; and the culmination of this policy in the Volksgarden infidel meeting, will be subsequently alluded to more distinctly. The aid they unwittingly rendered in hastening the overthrow of the bad interest they sought to advance, should be recognized in this connection. It will be seen that they had other valuable uses.

Statistics of the Police Department.

A comparison of the statistics of crime for the six months since August 1, 1859, (the order of Gen. Pillsbury to close the Sunday Liquor-shops was issued August 9,) with those of the eighteen months preceding the exposure of the evils of the Sunday Liquor Traffic, presents the following instructive results:

SUNDAY CRIME IN 1857-58.

Arrests on SUNDAYS for eighteen months,	.	.	9,713
“ TUESDAYS “ “ . . .			7,861
			1,852

or about twenty-five per cent. more of arrests for drunkenness and crime on Sundays than on Tuesdays.

SUNDAY CRIME IN 1859-60.

Arrests on TUESDAYS for six months, to Jan. 31, 1860,	.	.	5,461
“ SUNDAYS “ “ “ “			3,481
			1,980

or *sixty per cent.* more on the Tuesdays than on the Sundays during the past six months. If extended over a corresponding period, it would make an excess of *Tuesday* over Sunday crime of 5,940 arrests for eighteen months, in place of the excess of 1852 arrests on *Sunday* over Tuesday, as formerly.

But to make the comparison just—to say nothing of the steady diminution of arrests for crime on all days—the previous average excess of Sunday arrests over those of Tuesday should be taken into account in ascertaining the *relative* as well as the absolute gain on the side of good morals. Thus, had the former ratio continued at twenty-five per cent. of Sunday over Tuesday arrests, the statistics *would have been* as follows :

Estimated arrests for the Sundays of past six months,	6,826
Actual	3,481

Relative gain on Sunday crime for six months,	3,345
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or within a fraction of *one-half* of the whole amount.

To these cheering statements should be added the fact that, while the number of offences is as much greater on Sundays than on other days as there are Sunday laws and ordinances to be violated—the number of offenders, as appears by the statistics of arrests, has steadily and rapidly decreased from month to month during the period under review, so that it is an average of more than thirty-three per cent. less during each of the last three months than during the preceding three months; and the ratio of arrests for Tuesdays has also fallen off twenty per cent.

From the Quarterly Report of the General Superintendent, Jan. 3, 1860, it appears that there has been a falling off during the quarter of seven thousand (7,028) in the number of arrests within the Metropolitan Police District,—nearly six thousand in this city alone—as compared with those of the quarter ending November 1. This is believed to be the first indication of an ebbing tide in the sea of crime that has nearly engulfed us, since the flood-gates were opened in 1834 by the repeal of all our municipal Sunday ordinances.

We are thus receiving the first instalments of the promised blessings invariably accompanying even an external regard for the Sabbath; —the earnest, we may hope, of those rich rewards of Providence and grace divinely pledged to the individuals and communities who “turn away their foot from doing their pleasure on the holy day, and call the Sabbath a delight, the holy of the Lord, honorable.”

Results of the Sunday Liquor Traffic Movement.

Existing facts do not warrant the claim that the Sunday Liquor Traffic has been completely suppressed. It has been *checked*, and a hopeful beginning made in eradicating a great wrong. The *public* violation of law has been much lessened, and open temptation to vice has been mostly removed. In a large number of instances, dealers who have any self-respect, or a decent regard to public opinion and legal authority, have abandoned their Sunday business altogether. In other cases, the traffic is continued secretly or with considerable caution. Others boldly defy the authorities, or trust to their neglect, or to the complicity of prosecuting officers and courts of justice, and drive on their work of ruin without concealment and without compunction. The Sunday Theatres, “Sacred Concerts,” and Lager

Beer Saloons and Gardens have not ceased their performances, or their traffic in malt or spirituous liquors; and numerous large establishments on Broadway outdo the German "Gardens" in the grossness of their immoralities and the infamous nature of their attractions. Thus a vast work remains to be done before the city shall be purged of one of its principal sources of demoralization.

But, with these acknowledged drawbacks,—sufficient to stimulate the zeal of the Police authorities and to incite the friends of the Sabbath to ceaseless vigilance,—enough has been accomplished to demonstrate the practicability of doing all that is needed; and with such moral results as reward past endeavors and animate future toils.

Public Drinking-Fountains.

The suggestion in the Committee's Document on the Sunday Liquor Traffic of the humane, sanitary and moral benefits of Public Drinking-Fountains, was echoed by the Press; and after much delay and debate, the Common Council authorized the construction of fifty free hydrants, as an experiment, with a view to their general adoption. It is believed that the public good would be consulted by their speedy introduction in all parts of the city.

Sunday News-Crying.

The Committee are happy to state that the city has been substantially free from the *Sunday news-crying nuisance* during the past year. At intervals, the effort has been made to revive the wrong, and in a few instances it has been perpetuated through the indifference of citizens and the neglect of patrolmen: but, as a city usage, it has ceased,—it may be hoped permanently,—to the great relief of moral families, Sunday-schools, and churches. Kindred street noises are less common than when the shrill cries of news-boys provoked the ill-mannered emulation of milk-men, bakers'-boys and rowdies; and most of the streets of the city have come to enjoy the profound quiet previously unknown for a generation without a resort to country retreats.

Sunday Bands in Central Park.

Shortly after the successful efforts of a few citizens to provide a Band of music for thousands of visitors at Central Park on the Saturday afternoons of summer, the Sunday papers began an agitation for the introduction of Sunday bands. A "clerical" resident of another city presented a Petition to the Commissioners of the Park, signed by himself alone, praying for this measure. They laid the petition on the table—the respectable Press of the city sustaining and approving their course, and giving expression to the general sentiment of the community in opposition to the use of that beautiful and costly enclosure as a means of promoting among us the holiday Sunday system of the Old World.

The Broderic Sunday Pageant.

Public announcements were made early in November of a grand Procession of Firemen, with Banners, Bands, and the paraphernalia of a public Pageant on *Sunday*, in honor of Senator Broderic, formerly a member of the Department, who had fallen in California, in a duel with Chief-Justice Terry. Some of the Daily Journals remonstrated against such a needless invasion of the newly-enjoyed Sunday quiet. Preparations being incomplete, the obsequies were postponed until another *Sunday*. An inclement day required further postponement, and *Sunday* Nov. 20, was again fixed upon for the parade. The Committee deemed this persistent policy of fixing a mock-burial on the Sabbath a just occasion for embodying the sentiment of the orderly community in defence of the *universal right* of citizens, Christian congregations and Sunday-schools, to immunity from the disturbance of their peace and quiet. A calm and temperate Protest was drawn up, which soon received 550 signatures, and all our leading journals gave it publicity. Copies were also placed in the hands of the Foremen of all the companies in the Department. The Pageant, which promised to call out the strength of a Department numbering some 4,000 men—"Sixty companies" were advertised to appear—proved to number just 541 persons, musicians and "the public generally" included; about 300 of the whole number wearing the badge of Firemen—and of these a considerable part were from Staten-Island, Hoboken, etc. It is hoped that no like demonstration will be attempted; or, if it is, that a public sentiment as healthful and vigorous as that which frowned the Broderic Pageant out of its formidable proportions, will find as earnest an expression as now.

The Protest of citizens and the comments of the Press, with the facts and incidents of the occasion, were embodied in *Document No. 10*, and in addition to other circulation, copies were forwarded to each Fire Engine, Hose and Hook and Ladder company for their several members to the number of about 4000. The Document acknowledges the good conduct of the Department as a whole, in refraining from participation in a Pageant so offensively invading the feelings and the rights of our citizens.

Labors Among the Germans.

A lay missionary has continued his labors among the German immigrants during the year. His monthly reports are too extended for this document. They reveal the sentiment existing among this interesting population on the Sabbath question; furnish information as to the manner and extent of Sabbath desecration; and afford evidence of the fidelity and success of the missionary in his visits, and in the distribution of tracts, documents and papers. Besides completing the distribution of 4,000 copies of Gossner's book—*The Lord's Day the King of Days*—10,000 copies of a single number of the *Amerikanischer Botschafter* (the German paper of the American Tract Society)

containing able articles on the Sabbath, and explaining the objects of this committee, were circulated gratuitously through the agencies of the City Tract Mission, and by the labors of our Missionary. Not far from 8,000 copies of documents Nos. 8 and 9 (24 pp. 8vo. each) in the German language have also been distributed, with very general acceptance and usefulness.

The progress of the movement among the Germans, and the presentation of the memorials on the Sunday Liquor Traffic to the Police Board, caused a violent assault of the German Daily Press on the Sabbath Committee, on our Sunday Laws, on the Christian Sabbath, and on the religion of the Bible. The latent infidelity and atheism of these foreign Journals seem to have found their occasion for utterance, stimulated by the leadership of certain American Sunday Papers, and by the pretended zeal in certain quarters for "civil and religious liberty." Perhaps the trust to concealment for atheistic and treasonable sentiments in the general ignorance of the German tongue among our native-born citizens, and in the fact that there is no daily German Journal friendly to the Sabbath and to Christianity through whose columns their errors of fact and of principle might be corrected, may have had something to do with the incautious and slanderous dealing of these newspapers with the "Sunday-fanatics," who had ventured to question the right of a set of refugees to undermine the institutions that sheltered them. However this may be, the secular journals of this city did themselves great honor, and the public a lasting service, by refuting the errors and exposing the licentiousness of these advocates or apologists for Sunday dissipation and folly. And it is but just to say that the more decent and widely circulated of these German papers have since become more chary of their scepticism, and more courteous in their bearing.

Volks-Garden Anti-Sunday Meeting.

Among the measures for resisting the enforcement of the Laws against the Sunday Liquor Traffic, "a mass meeting of the friends of Civil and Religious Liberty," German and English, was planned for the evening of Sept. 13, in the large theatre and drinking saloon, known as *Volks-Garden*, in the Bowery. The editorial columns of one of our most widely circulated Daily Journals, and of other Sunday papers, English and German, were occupied for a month or two by appeals to the prejudices and passions of their readers, to rally on this grand occasion "against the Pharisaical, straight-laced, Puritanical hypocrites, who would turn Sunday into a day of moping, and compel every one by statute to wear a long face on that day of rest." But not one in a hundred of their readers believed a word of these insane ravings. As a result, the number of people gathered at the *Volks-Garden*, to drink lager and listen to infidelity, was somewhat larger than the usual week-evening assemblies; but not half as large as that to be found in the same theatre every Sunday night to "pledge their fortunes, lives and sacred" *lager* to the same sort of "Civil and Religious Liberty."

Perhaps no single event of the past year has contributed more directly to advance the real and only objects of the Sabbath Committee than that thus briefly recorded. It revealed the true nature and strength of the opposition to their efforts, and the powerlessness of a journalism that puts at defiance the decencies of common morality and perverts every principle of truth. It demonstrated the infidel and atheistic tendencies of the Anti-Sunday crusade, and the hypocrisy of the claim that the daily contemners of law are the special guardians of "civil and religious liberty." It awakened the friends of the Sabbath to the fact of the existence of an element in our society imbued with the foulest errors of "Red Republicanism," allied with the vilest system of popular demoralization. And it carried disgust and alarm to tens of thousands of respectable Germans—who thus became impressed with the inseparable connection, in this country at least, of Sabbath profanations with vulgarity, deceit, and numberless vices. It is not the first instance in which "the wrath of man" has been overruled to the Divine Praise.

Cooper Institute Meeting of Germans.

The wounded feeling of self-respect, and a growing interest in Sabbath observance, prompted our German fellow-citizens to hold a public meeting in behalf of the Sabbath—the first ever held by Germans, so far as known, for that specific object. The large hall of Cooper Institute was filled at an early hour of Sunday evening, October 16, by a respectable and orderly body of Germans—at least 1,500 in number. The platform was occupied by many prominent American clergymen and laymen, and by German pastors and people. A highly esteemed German merchant presided: he has since been elected a member of the Committee. After reading the Scriptures and Prayer by an excellent Lutheran pastor, the Rev. J. C. Guldin, for seventeen years pastor of the German church in Houston street, made a brief and earnest address. A noble Sabbath Hymn of Tholuck's was sung, as no Hymn can be sung but by a congregation of Germans. The Rev. Prof. Dr. Schaff, of Mercersburg, Pa., delivered a masterly speech on the physical, moral, and religious claims and benefits of the Christian Sabbath—alternating from the German to the English as his remarks drifted in their application toward the one or other nationality. The Rev. Drs. Adams, Hitchcock, and Spring made brief addresses in English during the exercises. A series of short Resolutions was passed unanimously—the whole congregation rising—attesting their regard for the American Sabbath; disavowing the opinions and practices of some of their countrymen as "bringing dishonor to the German name;" and expressing the conviction that "the Sabbath Laws in this country are among the strongest guarantees of our free institutions; a wholesome check upon licentiousness and dissipation, and a preventive of the pauperism and crime which must necessarily undermine and ultimately destroy the liberty of any people." The Editor of the *New York Observer*, who was on

the platform, in his sketch of the occasion, wrote : " We do not recollect ever attending a better meeting. The assembly was almost exclusively German : well-dressed, good-looking, respectable men and women ; men who are able to serve the State as good citizens, and whose presence is a blessing, not a curse, to the community."

The Committee deemed this demonstration so important as to warrant the publication of its proceedings in pamphlet form for popular circulation in this country and in Germany. The principal speeches of the occasion were kindly written out in full by their authors, at the Committee's request, and a Document (No. 9) of great practical value has thus been prepared in the German language, of which six thousand copies have been printed and mostly circulated. Of these, with the previous Document (No. 8), seven hundred copies have been sent to a friend at Hamburg, there to be posted to the leading scholars and men of influence in the Fatherland. For the sake of reaching the German population in other parts of this country with this powerful plea for the Sabbath, the American Tract Society have approved it for circulation by their colporters, and an edition of four thousand has already been printed by that society for this purpose. It is hoped that the friends of the Sabbath in other cities will adopt measures for placing this document in the hands of their German fellow-citizens.

The influence of the meeting thus sketched is believed to have been wide-spread and most happy. It demonstrated to the German community itself the existence of a powerful element, composed of all Christian denominations, intelligently opposed to the abuses of the Sabbath on the part of many of their countrymen. It presented a new and encouraging aspect of the German population before the American Christian community, and tended to draw closer the bonds of brotherhood between the pastors and people of the mingled Teutonic and Saxon races among us. It furnished occasion and material for discussion on the part of the German Press and Pulpit—and the occasion has not been misimproved. It gave the daily German papers to understand that their constituency were not all of the Anti-Sunday stripe, and that German public sentiment was not altogether in sympathy with their Anti-American and Anti-Christian diatribes. It blighted the schemes of intriguing politicians, some of whom were calculating the chances of gaining the German vote by pandering to German vices ;—for it indicated that possibly as much might be lost as won by dragging into the political arena a vital question of morals and religion, of common concern to men of all parties. And it provided the means of disabusing the minds of Christian scholars in Germany as to the supposed demoralization of emigrants to America : possibly, under the divine blessing, it may result in awakening good men in Germany itself to the necessity of reviving the Sabbath question there.

German Theatres, "Sacred Concerts," and Beer-Gardens.

In the issue made with the Sunday Liquor Traffic, some of the iniquities of the Sunday Beer-Garden system were exposed, and it was hoped that the suppression of the principal evil would involve that of its accessory and supplemental wrong. It was found necessary, however, to enter on a new enterprise for this purpose; and the Committee's Document No. 11 presents to the public the facts and views on which the movement specially occupying their attention at the present time is based.

It may seem incredible to the mass of American readers that scores of Theatres, "Sacred Concert"-Halls, Drinking and Dancing Saloons, and Gambling houses—often combined under the same roof—should be publicly *advertised* in Sunday morning papers, and their performances held on the morning, afternoon, and evening of the Lord's Day—commonly in the evening—every Sunday in the year, under the eye of the Police, and in the midst of a civilized, church-going, and Sabbath-keeping population! Yet, all this is startlingly true. Nor does it abate aught from the evil or the danger that it is concealed from the public gaze under a Teutonic guise. The 20,000 or 30,000 frequenters of these Sunday temples of Bacchus, Terpsichore, and Venus, though they mostly employ a foreign tongue, form an integral part of our population, and contribute their quota of influence to our municipal character and moral standing: perhaps more than their quota to demoralize and degrade our political institutions; while they help to swell the ranks of our Pauper Army, to crowd our Prisons, and to distend the annual Tax levy. The argument for the suppression of this base system of Sunday profanation would seem to address itself to every element of self-respect, self-preservation, and true patriotism; as well as to the higher principles of benevolence, morality and religion. It may be condensed thus:

1. A quiet Sabbath, free from noisy interruption and from demoralizing temptations, is a prescriptive, inalienable *right* of every American citizen: the system of German Sunday Beer-gardens invades this right: it should be abated.

2. Our free institutions are based on the theory of popular morality and virtue: this system tends to materialize, deprave and imbrute the people: it should be suppressed.

3. All that our immigrant population can claim of us is the measure of liberty consistent with the perpetuity and healthful working of our institutions; the measure meted out to ourselves: but by immemorial custom and law, we have denied ourselves such indulgences as are involved in this system of Sunday revelries: we cannot grant them to others without a sacrifice of principle inconsistent with duty or safety.

4. Even if the system worked no vital ill to the population supporting it, its profitableness, and its varied adaptations to vulgar and debasing appetites, will tempt American panderers to adopt it, and

native-born rowdyism to patronize it: so that a foreign vice, or complication of vices, will be added to the many forms of domestic demoralization. Already there are numerous establishments of a similar character flaunting their sinful attractions in our most frequented thoroughfares—several on the first floors of Broadway itself—with all the concomitants of music, dancing, singing, acting, and drinking—and the super-added fascination of women of the town by dozens as attendants and waiters. Hundreds of apprentices, country youth, and debauchees of riper years, throng these places every Sunday night. Nay, their proprietors do not scruple to *advertise* among their principal attractions—“The most charming Lady Vocalists and Dancers, introducing fifty distinct acts, by forty performers;” and “boasting the prettiest waiter girls, handsomest young ladies, the most attentive, polite, and prepossessing of any in the city. *Sunday Evening*—open at 7—close at 12.”

It becomes then a question of *self-preservation*. As such we meet it. Every employer has an interest in it. Every parent is concerned in its settlement. Every citizen, if not indifferent to the influences that are coming in to mould our character and destiny as a people, must see that longer neglect of an insidious and seductive system of unmingled evil may leave that system, with all its sensuality and its corruption, to become quietly *naturalized* and domesticated on our soil. And surely, every Christian—with his eye on the spiritual and eternal bearings of this skillful device of Satan to counteract the benign influences of the Sabbath and the sanctuary, and to draw away from elevating, saving agencies the very classes most needing instruction and restraint—would be false to every conviction of duty, and every impulse of benevolence, did he not resist by all legitimate means these soul-destroying tendencies, whether affecting our own population or that of foreign birth.

But the Committee would refer the reader to the Document (No. 11) on “Sunday Theatres, ‘Sacred Concerts,’ and Beer-Gardens” itself for their views at length respecting the evil under consideration. The further measures proposed for the consummation of this Reform will be taken deliberately, and with the Divine favor and the manly coöperation of the friends of the Sabbath, it is believed that they will be successful.

The Documents of the Committee.

The more important of the Documents issued during the past year have been incidentally alluded to in the previous pages. They are designed to be calm, clear, candid expositions of the several subjects under discussion—avoiding all exaggeration or appeals to prejudice or passion—and aiming to lay foundations in popular conviction and Christian principle for the several Reforms attempted. They are intended to influence clergymen, editors, public officers, and reflecting men in every sphere of influence; and to furnish materials of fact and argument for moulding a right public sentiment on a question of no trifling moment. Their reception by the Press and the public has

afforded gratification and encouragement to the Committee. In all the discussions to which they have given rise, it is a pleasing fact that no statement has been called in question and no position refuted. The opposition has been directed against issues the Committee have not made, and against theories the Committee have not advanced. Indeed, there has been no alternative, thus far, for right-minded men, but the ground of open infidelity and immorality, or the support of measures demonstrably needful for the public peace and the conservation of public morals.

The Committee have considered it a wise economy to extend the circulation of these Documents among our citizens, and to some extent among men of influence in other parts of the land. Some thousands of each have been placed in the hands of individuals at their residences, as soon as issued, and have been forwarded to the Press in all parts of the country. The Police and Fire Departments have been supplied with important documents, as occasion required. The Legislatures of New York and Pennsylvania have been furnished with copies for the members of each. Orders from the country for the Committee's publications, both in German and English, are increasing. Three thousand copies of the series have been ordered from Cincinnati, and 500 copies of No. 9 (German) from Baltimore. The whole number printed during the year has been 43,575, including 10,000 in the German language; and the circulation has been somewhat greater, including an edition of "Railroads and the Sabbath," (No. 2,) previously printed.

Coöperation of the Periodical Press.

The Committee gratefully acknowledge their indebtedness, and that of the christian community, to the Daily and Weekly Newspaper Press of this city, for the unwavering support it has given to the various measures undertaken in behalf of the better observance of the Sabbath. Rising above the atmosphere of party, sect, and self, nearly all the respectable journals have contributed their influence to form and foster a just public sentiment as to the value of the Christian Sabbath, and the danger to all the great interests of the individual and of society of perverting its objects so as to make it a day of noise, parade, or dissipation. Some of the Editorial utterances in secular journals have been of so high an order of excellence in sentiment and ability as to have excited general remark. And the whole discussion on the side of the Sabbath has been so courteous and discriminating—notwithstanding many provocations to embittered controversy—as to disarm prejudice, and confound opposition. It is not the least of the occasions of gratitude that the Committee have been so guided from above in their labors as to have commended their measures to the confidence and support of those who wield the most powerful moral agency, for good or ill, known to the world.

For important reasons, the current newspaper articles and items bearing on the Sabbath question have been preserved and classified

in the office of the Committee. It appears that the aggregate circulation of *copies* of newspapers, Secular and Religious, containing articles friendly to the Sabbath or bearing on the discussion—taking the known or estimated circulation of each journal as the basis of the calculation, has amounted during the year 1859 to *more than twenty-four millions* (24,098,000)—exceeding the amount of the previous year by about nine million copies. And so far as the Committee have observed, there is scarce a line of this matter that they or the Editors

—“dying need wish to blot.”

The more permanent Periodical Literature of the country is interesting itself increasingly in the discussion of the Sabbath Question. The Biblical Repository and Princeton Review for October contained an elaborate and exhaustive article on “Sunday Laws,” from the pen of the Rev. Dr. Hodge, which has been republished for wide circulation in this country and in England; and several of our Magazines have treated the subject with ability. An article in “The Examiner,” understood to be from the gifted pen of the Rev. W. R. Williams, D. D., on the Civil Relations of the Sabbath, and will reward a careful perusal. An edition of 2,000 has been published by the Committee as No. 1 of “*Sabbath Leaflets*,” 4 pp., 8vo.

Opposition of the Sunday Press.

We regret the necessity of alluding to the course pursued by a portion of the Sunday Press, in such marked contrast with that of the journals just noticed. Making all allowance for the real or imaginary interference with their profits by the suppression of the news-crying nuisance; the partial closing of the Dram-shops; and the growing conviction in the public mind that some other literature is more suitable for the Lord’s day than that from Sabbath-hating sources: still it would seem that self-respect and ordinary prudence might have restrained many of the false, sophistical, and even libellous utterances with which *Daily* and *Weekly* issues have literally *groaned*. If it was the purpose of these journals to frighten the Committee from their course of public duty, they misapprehended its composition. If the object was to overawe our Police authorities, it was attempted at an unfortunate juncture. If it was the design to bewilder the public by the multiplication of false issues, or to draw the Committee away from a carefully chosen position into general and fruitless controversy, it was thwarted by the distinctness of the issues before the public and the steadiness with which they have been adhered to. And if political and personal ends had something to do with the atheistic and futile measures at the Volks-Garden meeting, and with the editorial gasconade preceding and following that memorable movement—which we would not assert—their utter failure may be taken as a popular verdict against employing infidelity and immorality and selfishness as political hobbies.

The Committee have deemed it inconsistent with self-respect to notice any of the hundreds of abusive newspaper articles that have made their appearance; and they are grateful to the decent press for suffering them to pass without rejoinder. Such articles do more harm to their authors and to the bad cause they advocate than to those sacred interests against which they are directed. There are only two points in them all to which a word of reply seems called for:

The first point relates to the *constitutionality of our Sunday Laws*.

To the hundreds of diatribes on this subject our only reply is—that their readers have in no instance been truly informed what those laws are, nor what the Constitution is. A fair statement of either or of both would have exploded every argument yet presented. Thus: the only clause of the Constitution quoted in justification of Dram-selling and other immoralities on Sunday has been the following: “The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this State to all mankind;” and there the sophists have stopped, while the Constitution proceeds:

“*But the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness (excesses of liberty) or justly practices inconsistent with the peace and safety of this State.*” And that is the very thing these apologists for lawlessness and crime and pauper-breeding have been doing in this whole discussion.

Morality of the Sabbath.

The second point relates to the *morality of the Sabbath*. It has been asserted for the hundredth time that the strict observance of the Sabbath “has been *most unfavorable to morality*, and has driven thousands into infidelity and irreligion, and into *every vice and crime.*” “Experience has proved that Sabbatarian despotism so far from preventing vice and crime, has the contrary tendency,” it is said, and “England, Scotland and the United States” are cited in illustration of “the immense moral as well as physical evils” flowing from the sacred observance of the Lord’s Day: while France, Germany and Italy are referred to as showing the beneficent moral influence of the no-Sunday or the holiday-Sunday principle! The bare statement of the proposition is a sufficient refutation to a mind retaining some reverence for the divine administration, and ordinarily informed as to the moral condition of the world. We think a few statements will make the matter plain.

1. *The Statistics of Crime demonstrate the intimate connection between Sabbath desecration, intemperance, and vice.* Thus, it appears from the Report of the Metropolitan Police Commissioners that of the 61,445 arrests in 1858, only 11,520, including “colored,” were natives of the United States—or about 17 per cent. of the whole. But the foreign-born population does not exceed about one-third of the aggregate as given by the census of ’55. If, however, one third of our population, and that the Sabbath-breaking third,

furnish 83 per cent. of our criminals, and a larger proportion of our paupers, while the native, Sabbath-keeping two thirds furnish but 17 per cent. of the whole—and that from its churchless, Sabbathless part—how can the inference be avoided that crime, pauperism and Sabbath desecration are inseparably associated?

The statistics of other cities and countries compel the same conclusion. The British House of Commons summoned before a Committee a great number of officers of Prisons, Criminal Justices, and Chaplains, whose testimony was substantially concurrent with that of one twenty-eight years connected with prisons, and who had had the care of more than 100,000 prisoners, to the effect: "that in nineteen cases out of twenty, they are persons who have not only neglected the Sabbath, but all other ordinances of religion?" and adding his "conviction that Sabbath-breaking is not only a great national evil, but a fruitful source of immorality among all classes, and preëminently of profligacy and crime among the lower orders." He further states: "I do not recollect a single case of capital offence where the party has not been a Sabbath-breaker; and in many cases they have assured me that Sabbath-breaking was the first step in the course of crime."

But 2. *Successful efforts for the proper observance of the Sabbath invariably diminish crime.* The result of the "Forbes McKenzie Act" in Scotland is in point here. In all parts of Scotland, the moral condition of the people has improved in the ratio of the fidelity with which this law for suppressing Sunday sales of liquors has been enforced: the amount of ardent spirits consumed having been reduced nearly one fifth (or \$25,050,560) in four years—"Sabbath drinking having been annulled, and the drinking on week-days having also been largely diminished."

Even more marked results are under our eyes in this city. The statistics in the early part of this document show that, in the lax state of Sabbath observance which allowed the unrestricted sale of liquors on that day, drunkenness and crime were so rampant as to swell the immense average of arrests on all days to the extent of twenty-five per cent. on the Lord's Day above secular days, and that for a period of eighteen months: but that when a better sentiment demanded the enforcement of the Sunday Liquor Law, the average of arrests on the secular days has exceeded by about sixty per cent. that for the Sundays, during a period of six months—with a steady declining ratio of arrests on both sacred and secular days.—[See statistics on previous page, which show a total falling off of more than seven thousand arrests during the last as compared with the preceding quarter.]

Now, a book written thousands of years ago, may be misinterpreted and its institutions despised; the laws of God and man may be caricatured and violated; the principles of common morality may be ignored: but one would think that official statistical records of our own day, in our own city, might be entitled to some weight with a press claiming the patronage of a decent, Christian community.

But again, 3. *The statistics of births* show that the degree of re-

spect for the Christian Sabbath is the measure of social purity, and that Sabbath-breaking and licentiousness are intimately associated. Thus it appears from the official return of the Registrar-General of Scotland, that while the proportion of illegitimate births in *London* [the capital of one of the countries cited to show that Sabbath observance "has been most unfavorable to morality, and has drawn thousands into every vice and crime!"] is *four* (4) per cent., it is *thirty-two* (32) in *Milan*; *thirty-three* (33) in *Paris*; *thirty-five* (35) in *Brussels*; *forty-eight* (48) in *Munich*; and *fifty-one* (51) in *Vienna*! "These figures are astounding," says the Review we quote. "They seem almost invented for a purpose. And yet they are *official and governmental* returns, as certain and authoritative as such records can be."

Thus assured to us, they deserve profound study in connection with the palpable truth that, in spite of recent efforts to convert a London Sunday into a godless holiday, *the percentage of proven contempt of the Seventh Commandment in the several capitals of Europe named, is in appalling coincidence with the ratio of the open disregard of the Fourth Commandment of the Decalogue.* In this light, these terrific numerals glare out upon the world as the commentary of fact and of history on the Eternal Law of God; and they would seem to echo in thunder-tones—from the Old World to the New—from kingdoms thus debased in their social morality, because godless in their religious faith—to a Republic still clinging, despite all alien influences, to the sanctities of Home and the Home-Day: "REMEMBER THE SABBATH-DAY TO KEEP IT HOLY."

Delegation to Western Cities.

THE discussions growing out of the Committee's enterprises, and the success of their plans, created some influence in stimulating action in other parts of the land, and especially in western cities. It was deemed expedient that a Delegation should visit those cities in the early autumn, with the view of learning the state of existing facts, communicating the results of experience in this city, contributing to unity of views and efforts in a common cause, and awakening to action where it was thought proper. After conferring with friends of the Sabbath from various parts of the country then found at *Saratoga*, the Delegation proceeded to *Buffalo*—where they were happy to learn that an efficient Mayor had mostly subdued the grosser forms of Sabbath-breaking; thence to *Detroit*, where everything seemed ready to their hand in an awakened interest, and where a Sabbath Committee was formed at once—as there was at *Toledo* on the evening of the same day [and where an active Mayor has anticipated the action of the committee;] thence to *Chicago*, where the differences growing out of a previous movement were speedily adjusted, and an able committee took the matter in hand with a view to quiet and patient effort: thence to *St. Louis*, where a Committee was already in

existence, and a signal triumph had already been achieved (Aug. 1,) in a majority of 2,000 against Sunday dram-shops on a popular vote, and where important measures were in progress for perpetuating the success of the friends of morality; thence to *Cincinnati*, where a vigorous Committee was formed at a timely juncture—for a German Committee was appointed on the same evening to agitate for the repeal of all Sunday laws, and to break down all Sabbath restraints, though neither previously knew of the movements of the other [a competent executive officer has recently been appointed by the Cincinnati committee]; and thence to *Pittsburgh*, at the very hour of spontaneous action of citizens to arrest some local invasions of the Lord's Day. In all the cities named, except Buffalo, the Delegation had the opportunity of addressing select meetings of the citizens, and of conferring at length as to the best methods of promoting Sabbath observance. In most places it was found that the same forms of iniquity the Committee have contended with here abound there—sometimes imported from New York and exaggerated at the West. Everywhere, nearly, the beer-garden system had taken root, and its demoralizing influence had become a just occasion of disgust and alarm.

Early in the year a Sabbath Committee was formed at *Baltimore*, Md., with whom this committee has had personal and written correspondence. A free supply of documents has been made to the various committees, and such mutual coöperation pledged as may be hoped to advance the great object contemplated by all.

In *Philadelphia* the Sunday-car question was precipitated on the friends of the Sabbath, by the attempts of various local railways to abandon the policy of Sabbath intermission in the running of their cars; and much excitement and litigation grew out of the effort of public officers to resist the innovation. The courts sustained the action of the municipal authorities. An agitation was begun for the repeal of the Sunday statutes of Pennsylvania, with what success remains to be seen. In anticipation of the Legislative discussion, an officer of the Senate has undertaken to place copies of suitable documents from the Committee's series in the hands of members of the Senate and House.

The Sabbath Reform in Europe.

Great Britain.—The two events most nearly affecting the Sabbath have been the investigation of the Royal Commission into the operation of the "Forbes Mackenzie Act" in Scotland, and the extension of the Revival in the United Kingdom. The result of the inquiries in Edinburgh and Glasgow, as reported in the Scottish journals, have been "eminently favorable," as appears by the fact that, among other things, "the consumption of ardent spirits has decreased \$25,050,560 in four years, or nearly a fifth part of the whole previous consumption. Thus, not only has the Sabbath-drinking been annulled, but the drinking on week-days has also been largely diminished." A recent procla-

mation has been issued by the Town Council of Edinburgh, warning those who persisted in illegal Sunday trading—"488 shops having been reported as carrying on traffic in the city and suburbs"—that the laws would be strictly enforced.

The statements of the delegation to this country concur with the printed reports of the remarkable work of grace in *Ireland*, that one of its most palpable fruits has been the better observance of the Lord's Day, and the decrease in drunkenness and immoralities of every kind. Similar results are noticed in *Wales*, and wherever the converting power of the Holy Spirit has been displayed. So that, as in this country, and in all countries and all ages, a revived and spiritual Christianity and a sacred regard for the Day of Religion are indissolubly associated in the experience of the church, as they are in the Book of God.

A Royal Example.—A pleasing incident is recorded of Prince Alfred, the second prince of England, connected with his late visit at Athens, Greece. "It may allay any fears that have been entertained," says the correspondent of the *N. Y. Times*, "lest the young Prince should prove to have been injured by his tour through Europe, and spoiled by the adulation he has received everywhere, and not least of all in the 'Eternal City.' The celebration of the Olympic Games (revived in December last, for the first time since the days of their suppression through the influence of Christianity,) happened to be under way at the very moment when the Prince reached Athens. Hearing of his expected arrival, the Committee of management deferred the horse-race in the hippodrome—one of the most important parts of the festive occasion—from Monday until the succeeding *Sunday*, so that he might grace it with his presence. "But the son of the Queen of England had received a different education from the gentlemen of the Committee, and answered positively and emphatically, that he could not be present at the race on the holy day of the Lord; and the Committee postponed it anew until the next Tuesday, when it took place."

France.—It is a somewhat curious fact that the only newspaper in the world specifically devoted to the promotion of Sabbath observance—the *Observateur du Dimanche*—is published in Paris, and is the organ of an Association numbering some 4,000 members in that city. "New associations," says the *Observateur*, "some of them embracing entire dioceses, have of late requested to join us; the major part of those uniting with us during the past two years have not confined themselves to the simple observance of Sunday as a day of rest, but have endeavored to keep it holy. The number of shops which close on Sunday has more than trebled during the last two years. Everything that leads people's hearts and minds to God, will more and more secure the observance of the Sabbath; and on the day when all Frenchmen shall have become fervent Catholics, the *Observateur* will have completed its task."

Switzerland.—Increased interest has been awakened in Sabbath observance in various cantons. A private letter from the Rev. Dr.

Prentiss, late of this city, written at Vevey, Dec. 1, contains the following paragraph :

"I have just returned from a three weeks' excursion to Germany. On my way back, I spent Sunday at *Neuchatel* in order to make the acquaintance of the Rev. F. Godet, to whom Profs. Guyot and Tholuck had given me letters. Mr. G. is one of the most distinguished pastors in French Switzerland ; he is an old Berlin friend of Prof. —, and now a principal tutor to the present crown prince of Prussia. I called upon him on Saturday evening, and found him full of a meeting for the *better observance of the Christian Sabbath*, which was to be held the next day at the close of the afternoon service. He informed me that about a year ago an Association had been formed for the sanctification of the Lord's day ; and that already it had borne most excellent fruits. He was eager to get information on the subject, and specially delighted to hear of the meeting of Germans at the Cooper Institute, of which I chanced to have an account with me. I attended the meeting on Sunday afternoon. In spite of inclement weather, the chapel in which it was held was crowded to overflowing ; the exercises were highly impressive, and the audience appeared to listen with serious and profound interest. In the course of an animated address, Mr. Godet alluded with much effect to the great meeting in N. Y., and to the admirable remarks of Prof. Schaff, himself a son of Switzerland. I know you will be glad to learn of this important demonstration, and also to receive the constitution of the Association which I enclose."

Germany.—There are many indications of a revival of the Sabbath question—the "Church-Diet," "Inner-Mission," and other bodies having taken it up in various forms, and some of the Governments having found it necessary to restrain Sunday excesses by more stringent laws. The "Inner-Mission," of the Rhine Provinces has offered a premium for a treatise on the Lord's Day in its relation to the community, the family, and the Church.

A letter from the REV. DR. CRAIG, of Hamburg, Germany, Feb. 7, '60, acknowledging the arrival of 700 copies of German Sabbath Documents, (Nos. 7 and 9,) sent to his care for distribution among the Editors, Professors, and other leading minds of Germany, thus alludes to the Sabbath question there and here :

"I received a few days ago a copy of 'Sunday Theatres, Sacred Concerts,' &c., (No. 11,) and had it immediately laid before a committee which has been formed in this city in connection with the 'Inner Missions' for promoting a better observance of the Lord's day. I was requested when an opportunity occurred to return thanks and to express the interest which Christian friends have taken in your exertions in behalf of the Germans who have left our shores to seek a home with you. Good men in Germany are longing to see the dawn of better days in this respect, and mourn over the slow progress that is being made. We rejoice, however, in beholding the energy and success with which friends in America, aided by their Constitution and the freedom of their Institutions, are laboring to bring out the great truth that the Son of man is Lord of the Sabbath. May the God of peace and holiness acknowledge your labors, and own this work as a cup of cold water given in His name to many a thirsty soul that is longing for the peace and rest of the Sabbath."

Among other Newspapers in Germany, the *Kirchen-Zeitung* of Erlangen, Bavaria, contains a handsome notice of the German meeting at Cooper Institute, from which we extract a few lines :

"As the Americans judge their German fellow-citizens by the tone of the newspapers, of which the Germans publish an enormous number, and which almost unanimously oppose the Sabbath Laws with a blind rage, it was proper to show the Americans that there are other Germans besides the radical newspaper Editors. Pastor Guldin, a venerable man who for more than one reason deserves the good-will of the Germans, made an address in which he did justice to the Germans. Prof. Dr. Schaff delivered a discourse distinguished for its sound depth, in which, in a practical manner rarely found in German Professors, he argued the incalculable influence of the Sabbath on all classes of society," etc.

Sweden.—A letter from a distinguished clergyman in Sweden, informing of the signs of increased religious toleration and progress in that country, writes: "The question of Sabbath observance is now fairly arresting the attention of Christians. Baron Posse has, in a vigorous and earnest speech, laid a motion on the subject before the House of Lords."

Conclusion.

The Committee submit this record of their labors for the year to a community whose highest interests they have aimed to subserve, with the hope that it may contribute to awaken a juster conviction of the value of the Sabbath, and of the feasibility of rescuing it from the shameless neglect and profanation into which it had fallen. Some important hints may surely be gathered even from their brief experience.

The wisdom of making *simple, clearly defined issues*, and adhering to them to the last, would seem to be vindicated. There have been plentiful endeavors to divert the Committee from the specific measures they have deemed it expedient to initiate; but they have not seen fit to recognize these unfriendly devices, and they have failed of their object.

Then, *the quiet method of Christian Reform* has proved the most effective. If any conspicuity has been given to the Committee, it has been unsought and undesired, and is due mainly to the denunciations with which they have been visited. They have attempted no measures of popular agitation; have held no "mass-meetings;" have asked no legislation; have avoided the literature of epithets; have shunned personalities; have eschewed controversy;—in a word, they have aimed to commend their *object* to every man's conscience in the sight of God, and to attain it by means consistent with christian self-respect and with the recognized principles of manly christian action.

The Committee, with a full knowledge of the imperfection of their work, are not unwilling to submit the whole question at issue between the friends and the enemies of the Sabbath, on the tone and objects of the parties respectively concerned in rescuing or overthrowing a vital interest. And they refer to a future Scene the development of those *unobserved* agencies whose *results* alone concern the public welfare. While they presume not to suggest to others their policy in effecting necessary reforms, they would avow their confidence in calm and quiet methods:

For "every power that fashions and upholds
Works silently—all things whose life is sure
Their life is calm: silent the light that moulds
And colors all things; and without debate
The stars, which are forever to endure,
Assume their thrones and their unquestionable state.

The policy thus indicated—narrow issues and quiet methods—has *unmasked the real character of the opposition to the Sabbath movement*. Had the Committee concerned themselves with questions of casuistry, or attempted reforms of doubtful expediency, in the style of invective and the spirit of fanaticism, it would have been easy to cover a fatal opposition under the cry of "civil and religious liberty" and a pretended defence of "popular rights." But with no "rights" assailed more sacred than those of the Sunday newsboy to disturb the public peace; or of the Sunday Dram-seller and Lager-Beer dealer to drug and demoralize our population; this clamor became ridiculous: and no other defence was possible than that of open hostility to the Sabbath, and to the revealed religion it conserves. The proceedings of the Volks-Garden meeting, and most of the articles in the Sunday papers, German and English, on this subject, would disgrace the pen of Tom Paine: indeed, the only avowed organ of infidelity in this country, has taken pains to express sentiments on the Sabbath and our Sunday laws vastly more conservative and truthful than those propagated *daily*, month after month, in this city. We do not regret this disclosure. An enemy in ambush is doubly formidable. Revealed and outspoken, he is powerless as against that mighty current of patriotism, principle, and piety which can be made to set with irresistible force against selfish, lawless, demoralizing elements banded together to corrupt society and overthrow its moral safeguards.

The belief is cherished that some advance has been made in this movement, in *combining and bringing into manly action the dor-*

mant moral power of the cultivated and Christian classes of society. The measure of recuperation, in the direction of the Committee's labors, is mainly due, under God, to that prompt support accorded by citizens whose position in social and business circles entitles them to influence in all great questions affecting the public welfare. And if the future of our municipal history is to be redeemed from the scandals and perils of the past, in this as in other interests, it will be because the men who have most at stake in the weal or woe of this great community, and are entrusted of God with the capacity and the means of giving a right direction to its destiny, come forth on fitting occasions to confront the hosts of iniquity with determined courage and self-sacrificing zeal. We have made the bitter experiment of a Sabbathless, godless, dram-shop rule—of the "sin that is a reproach to any people:" is it not time that we should attempt to restore the supremacy of law and morality,—of the "righteousness that exalteth a nation?"

The events of the year have demonstrated the *intimate relation of this city to the country*, in moral no less than in commercial aspects. As the various sources of corruption that are rife here are copied elsewhere, so the enterprises successfully inaugurated here to combat vice and iniquity prompt to action in other great communities. And the Committee derive new incentives to exertion from the fact that a restored Sabbath here may become the signal and the encouragement for universal effort throughout the land to check the tendencies toward degeneracy in Sabbath observance. The hopeful movements in sister cities, previously noticed, may indicate the dawn of an *American Sabbath enterprise*.

But we refrain from extending the deductions which every intelligent mind will be apt to draw from the facts of this pamphlet. We have but entered on the threshold of the Sabbath movement, and it may be safer and wiser to merely record the facts of Providence respecting it, than to indulge in generalizations which a larger experience may prove to be delusive. Enough has indeed been done to demonstrate that something can be done, and to furnish some clue to the way of doing it. To that unaccomplished work the Committee address themselves with hope. Their future plans and efforts will take shape and form as the Providence and Spirit of God, may indicate. Their trust is in God, and in the principled coöperation of those who value the Day of God. Their only interest in the cause of the Sabbath, is that common to every Christian citizen. Their labors for it are only effective as Christian citizens second and sustain them, and as the Lord of the Sabbath owns and prospers them.

Thus supported and blessed, the Committee indulge the hope that the enterprise entrusted to their direction will become an humble instrument of good to our city, our country, and the world.

HENRY J. BAKER,
E. L. BEADLE, M. D.,
NATHAN BISHOP,
WILLIAM A. BOOTH,
ROBERT CARTER,
WARREN CARTER,
THOMAS C. DOREMUS,
E. L. FANCHER,
FRED. G. FOSTER,
DAVID HOADLEY,

NORMAN WHITE, *Chairman.*

HORACE HOLDEN,
JNO. E. PARSONS,
GUSTAV SCHWAB,
WM. A. SMITH,
WILLIAM TRUSLOW,
W. F. VAN WAGENEN,
WILLIAM WALKER,
F. S. WINSTON.
O. E. WOOD,

} *Sabbath Committee.*

JAMES W. BEEKMAN, *Recording Secretary.*

RUSSELL S. COOK, *Corresponding Secretary.*

J. M. MORRISON, (Cashier of Manhattan Bank,) *Treasurer.*

SABBATH COMMITTEE'S OFFICE, 21 BIBLE HOUSE, NEW YORK.

GREAT PUBLIC MEETING.

Proceedings and Addresses.

THE friends of the Sabbath assembled in great numbers on the invitation of the Sabbath Committee, at Cooper Institute, on the evening of Feb. 26. The large hall was full—at least 2000 persons being present, an unusually large proportion of whom were men of age, position, and influence. After a fervent prayer by the REV. DR. DEWITT, senior pastor of the Collegiate Reformed Dutch Church, and the singing of an appropriate hymn,

MR. NORMAN WHITE, who presided, stated the object of the meeting, gratefully recognizing the Divine blessing on the Sabbath movement, and briefly characterizing the work done, and in progress. The Committee knew something of the magnitude of their enterprise at the outset; but it had expanded beyond their anticipation, and beyond the apprehension of the general public. When the first meeting was held, it was stated by one of the speakers that in addition to the other invasions of the Sabbath, there was a theatre in full operation every Sunday evening. The audience was so much surprised at the statement that the speaker was asked whether such was really the case. Now they would hear that there is in the city, at this hour, and on every Sunday evening, not only one, but a score of theatres in full operation. It was

necessary they should hear these things, that the Christian public might know what they had to do. One of the objects for which the Committee had labored, was to convince the public that they had a deeper aim than the mere enforcement of laws. They had striven to make the public understand that there was reason, philanthropy, and benevolence in the Sabbath reform. In that work they had met with many obstacles and much vituperation. But those who had used vituperation had not been answered. The Committee believed it to be the duty of good citizens to consider the causes of the alarming amount of pauperism and crime. It is clearly better to remove temptation and to *prevent* crime than to erect institutions on our "Islands" and to fill them with the fallen; as it is better to erect light-houses, alarm-bells, and beacons on a dangerous coast, than to line the shore with wreckers. They had worked at the wrong end too long. If they had done their duty correctly before, they had not seen such a condition of things now. However, with the knowledge now possessed, the work could be prosecuted with good promise of success, and every citizen was responsible for it. While communities were not immortal, individual members of them were, and their responsibility, under

God, was measured by their capacity and opportunity. He was glad to be able to say that there was encouragement to go on in the work. We hear the voice of Providence, saying, "Be of good courage. Go forward."

Address of MR. SECRETARY COOK.

The Secretary of the Committee gave the history and results of one of the enterprises of the past year,—that for the suppression of the Sunday Liquor Traffic. He first sketched the difficulties and obstacles encountered in dealing with nearly 8000 unlicensed dram-sellers, more than 5000 of whom prosecuted their business on the Lord's day, with multiplied accessories of the most demoralizing character and of the most formidable extent. Their investigations had demonstrated an intimate connection between these sources of Sunday dissipation and the abounding crime and pauperism of the city. But all efforts to check the evil had been powerless. The police authorities had lodged 26,000 complaints for the violation of the Sunday Liquor Laws with the District Attorney; but as no case had been prosecuted to conviction, the Police Commissioners had just then stated in their Report to the Legislature that without "severer penalties and summary proceedings, the onerous duty of reporting Sabbath desecrations will be useless." The Excise Commissioners were also defied, and only 72 licenses had been applied for and granted—less than one per cent. of the dealers! The criminal judiciary, to say nothing of other municipal officers, was largely the creature of the liquor interest; and, worse than all, public sentiment had been corrupted, drugged, paralysed, so that a feeling of despair had fallen on the community. "Temperance" men, failing to secure all they wanted of legislative action, had abandoned the existing laws: hope had died out on all hands.

Such were the circumstances in which the Committee undertook this effort. Their first work was to prepare a Document—"The Sunday Liquor Traffic"—exposing the extent and bearings—financial, sanitary, moral and religious—of this gigantic evil. The appeal was made to the understanding and conscience, rather than to the prejudices and passions of the community; and it met with an almost universal response. The respectable Press of the city accepted and discussed the questions presented with great ability and thoroughness. Journals divided on most other questions were unanimous on this topic; and that unbroken front, backed by a united public, taught the Sunday Press and the Sunday Dealers that they were confronted by a new and overwhelming power. The Committee and the public owed a profound debt of gratitude to the respectable Press for its service in this behalf. At the proper juncture, public sentiment was concentrated in a "*Memorial of Citizens*" to the Police Commissioners, invoking their intervention and positive action, which soon received some 600 influential signatures. A "counter-memorial," with a list of signers as limping as its logic, (*three-fourths* being non-residents or not to be found in the Directory!) was also presented. The action of the Police Commissioners was worthy of them and of the city—pledging "the whole power of the police force" for the "prevention of public exhibitions on Sundays, and trafficking in liquors and other like things." Then came the trial of some of the 26,000 complaints in the District Attorney's hands, before an honest judge and jury, with honest verdicts in twelve suits. These were all appealed—but till this day without argument or decision. Why? Why, for years, has it been impossible to secure the ends of law and justice in this city when liquor-selling was concerned in the issue? May it not be

due to the influence of a *secret organization*, numbering 6,000 members, mostly foreigners, with ample funds, boasting its political power, and perhaps employing its resources "for the purpose of influencing courts and public officers," as well as in "dictating to political parties who they shall have for candidates?" It may be to this organization the Excise Commissioners allude when they speak of the "obstinate litigation" they have encountered in the trial of the thousands of suits in their hands. Add to this the combined power of the Sunday Press, which had done all that could be done, by the multiplication of false issues and by abuse of the Sabbath Committee, the Superintendent of Police, and the Police Commissioners, to shield an iniquitous business, and it would be seen that it had been no trifling conflict. Then, as the conflict thickened, a rally of opponents was made in the Volks-Garden, where the opposition of the Liquor, Lager and Sunday newspaper interests culminated in a meeting so boldly infidel, atheistic, and demoralizing in its composition and action, as to destroy itself. The greatest reliance had been placed on emigrant Germans as the basis of an agitation for the repeal of our Sunday laws, and, if need be, the organization of a no-Sunday party. But the respectable Germans became indignant that the German name should be made responsible for affinity with the immoralities of Lager-beer-dom and the Volks-Garden meeting; and they assembled to the number of 1,500 in this place to testify their regard for the Sabbath and the laws which guard its sanctity. Their proceedings, published in a document of the Committee, have exerted a wide and important influence in this country and in Germany, and the respectable and Christian Germans are in a position of more positive friendliness to the Sabbath than ever before.

Before entering on a statement of the

results of the partial suppression of Sunday tipping, Mr. Cook read an extract from one of the Sunday papers, which claimed a higher morality for Sabbath-breaking European Capitals than for Sabbath-keeping communities, and arguing that "a like cause here is working like effects; so that if Sabbatharians only succeed in their mission," (a decent observance of the Sabbath,) "New York will be more degraded by the intoxication of its inhabitants than even Glasgow." To which Mr. C. replied: that whatever degradation there might be in Glasgow, and other "Sabbatarian" cities, was notoriously among the *Sabbath-breaking* element of the population—as appeared from the fact that the "Forbes Mackenzie Act" for closing Sunday liquor-shops had checked a large part of the crime of Scotland, and had diminished the use of intoxicating liquors by more than \$6,000,000 a year during the past four years. But who committed crime in New York? Let the statistics of the Police answer, which show *eighty-seven per cent.* of the arrests for the last year to have been of the foreign-born, Sabbath-breaking population, to *thirteen per cent.* of our native population, and that the Sabbath-breaking part of it: whereas the foreign element composed less than one-third part of our aggregate population. And, if the morality of the Sabbath were further questioned, he would point to the statistics which show the comparative chastity of communities observing or contemning the Fourth Commandment. How is it that Governmental Records of unquestioned authority show the ratio of illegitimate births to have been but *four per cent.* in London—the capital of a comparatively Sabbath-keeping kingdom—while it is 33 per cent. in Paris; 35 in Brussels; 48 in Munich; and 51 in Vienna—the notorious centres of the holiday, pleasure Sunday of the Continent? Such are the facts. Qualify them as you will, explain them as you

may, no ingenuity of logic can lessen the terrible implication of fact and of history that Sabbath-breaking and adultery and lying and kindred vices and crimes are intimately connected in human experience, as they are in the prohibitions of the moral law.

But he would come home again to our own city, and see what are the lessons of experience here. By the showing of the Police Records, extending over a period of eighteen months preceding the attempted Reform, *Sunday crime exceeded the average of week-day crime by twenty-five per cent.* These were the days of Sunday dram-selling. We had had the experience of six months under a different regime—General Pillsbury having issued his order to close the liquor shops in August last; and what have been the practical results? Why, the average arrests for drunkenness and crime, during the last six months, have been about *sixty per cent. more on week-days than on Sundays*; or an absolute change of some eighty-five per cent., and a relative change of about one hundred per cent! And, as was expected, the ratio of week-day crime itself is rapidly diminishing. Thus, for the last quarter, the Superintendent of Police reports a falling off of more than *seven thousand* arrests; and last Sunday had a smaller number than has been recorded on any day in three years.

Yet the work of suppression was incomplete, while there were, in his judgment, adequate but unemployed powers in the Police Board to consummate and perfect this Reform. That Board could not only complain of offenders: they could arrest them; they could shut up the premises where intoxicating liquors were "publicly kept and *exposed for sale*;" they could turn men away from doors opened to tempt men to drunkenness and crime. And their organic Act not only thus empowered them, but it *required* them to "prevent

crime" if they could, and to "arrest offenders" if offenders there were; and "to see that all laws relating to the observance of Sunday, and regarding gambling, intemperance, disorderly persons, &c., are properly *enforced*." More than this, it empowered patrolmen with the authority of constables, who, by common and statute law, may and must arrest for misdemeanors committed in their presence, without warrant or complaint; and it makes such patrolmen themselves guilty of a misdemeanor if they neglect to do this. Such is the unquestionable import of Judge Hilton's reply in the matter of the Sunday Liquor cases; and such the obvious teaching of the statutes affecting this question.

Mr. Cook then passed to the discussion of the extent, character and influence of the German system of Beer-Gardens, Theatres, and "Sacred Concerts," and of the measures requisite for their suppression. He also exposed the scandalous establishments, even more debasing and corrupting in their accompaniments, now in operation every Sunday night in the most public halls in Broadway, under American and Irish auspices—tempting our apprentices and stranger youth to ruin. And he closed with an appeal to good citizens—men of position and influence—to stand by the Committee and by the expanding work they were attempting, by divine help, to perform, for the good of the city, the country, and the world.

Address of BISHOP JANES.

BISHOP JANES was the next speaker. He had not been surprised by the statements of the Chairman or the Secretary that their organization had awakened opposition. When did an enemy fail to sow tares? The most disgusting characteristics of the world were its antagonisms. They existed in every nation, and even in the domestic circle antagonisms arose. But in the moral world these collisions were most frequent and most fatal. Every heart was a battle-field in which a victory was to be lost or won. As a heathen once expressed it, he felt he had two hearts, the one impelling him to do right and the other to do wrong. Or, as the

Bible expressed the same idea: "When I would do good, evil is present with me, so that the good I would I do not, and the evil that I would not that I do." Equally clear, perhaps, was the declaration of the poet:

"We see the right, and we approve it, too,
Condemn the wrong, and yet the wrong pursue."

In these single combats between good and evil, where the evil gained the ascendancy, it led its degraded captives in the hosts of wrong. It was this organic wickedness that jeopardized social and national piety. Large cities are the points where the allied forces of evil make their combined assaults upon virtue and piety, exactly as in the history of war the main assaults were upon the cities. Look at the influence of this city upon this nation. That influence was felt everywhere, and whether it was good or evil, it was general and powerful. He believed the influence of New York on the morals of the land was pervading and mighty. With what grandeur did that idea clothe the objects of this Association! Its work was no longer local, but the moral welfare of the nation, perhaps of the world, were affected. Who could measure the human destiny involved in this success? The work was difficult in a large city. The wicked could carry on their plans in secret; they could hide, to some extent, the deformity of their conduct. Here these evil-disposed persons could communicate directly and safely with each other, and thus educate each other for the work of wrong. All these associations of dram-shops, places for gambling, bawdy-houses, and other places of vulgar amusement, were catering to animal appetites, evil propensities, and excited and depraved passions. They worked with the current, while moral reform had to roll against the current, employing sufficient power to stem the current, and bear on general piety. Their opponents illustrated the fact that this was a combat between benevolence and cupidity. Their opponents did not give, but received; they were not benevolent, but selfish, and there was never selfishness so ungenerous as theirs; they would not bury their own slain: they were so sordid that they would not attend to their own wounded; others must take care of the loafers made through their instrumentality. When they saw how uncaring they were for their own victims, the good would pity and pray for them, in view of the terrible fate awaiting their crimes.

But the good could associate also. A more direct agency could be had to rescue the fallen than could be procured in the rural districts. He that was for the reform was mightier than all that could be enlisted against him. Here was the reason why virtue had not all been swept away—there had been a God, a Bible, and a Sabbath in the city. While they had these, virtue would prevail and have the ascendancy in the earth. The Secretary had referred to an agency to influence childhood in the wrong path. He was satisfied that childhood was the strong point of morality and religion. If they would promote charity, they should continue and enlarge their influence over childhood.

If children were enlisted in the cause of morality and religion, they would have not only an additional force when they were grown, but a better trained and equipped power, commencing with the children, and working by all the authority of the laws of the land and the commandments of God, they could not but continue, until in all the by-places the day of God would be remembered, sanctified, and headed.

Then other virtues would follow, one virtue always engendered kindred virtues, and with religious institutions the Sabbath did not stand alone. Promoting all and sustaining all, they would combine all the influences that God had given for the salvation of men. He hoped the cause would be in their hearts as well as in their hands, so long as God gave them capacity to labor for him and for humanity.

Address of Rev. Dr. Hoge.

Rev. DR. HOGUE was the next speaker. He said he felt it was profitable though painful for them to be here. Most of them had come from influences that made them feel that all was safe with them. But at this meeting they had heard things that ought to make the stoutest heart quake. Would to God that all sober, industrious, honest citizens could have heard the statements made to-night. The snow-clad earth had recently looked so pure, that all the earth seemed spotless. But, away below all this, they knew that there was a gulf reeking with filth and corruption, bearing away the impurity of the city. But he felt as he did a few nights since, when, resting quietly in his chamber, he detected the gradually accumulating smoke. Through the house the smoke kept gathering, and yet there was no flame; it was working in secret through the walls. He thanked God that these moral dangers allowed of a cry for help in the coming struggle. The Committee had this night given the notes of warning. He knew that the work of the Committee had been a difficult one, and perhaps distasteful; but it was sometimes necessary, when a neighborhood had been ravaged, for the courageous man to go down in the dark den of the wolf, and strive with the ferocious enemy that in secret stole out and committed its ravages. It would be the people's fault now if the evil continues. The trumpet had been sounded for help to come up on behalf of the Lord against the mighty, the desperate, and the wicked. The Committee could not do the work alone. The meeting had been called to create energy in a work that was to be long, patient, and costly, and from which probably they could never be discharged. The work appealed to all to be its advocates and defenders.

What was it that called for help? The oldest institution in all this world—that which God had made peculiar to his people. When creation was finished, the Sabbath day was its crown. When God's work was complete then came this blessed jubilee, and God and man rejoiced. It was God's seventh day, but it was man's first day. The change at the resurrection of Christ was beautiful. Henceforth man celebrated his own first day in joyous communion with his God, and

the day on which the second Adam went to his Father. There was a twin institution born at the same time—the institution of marriage. He was not surprised at the statement that the seventh and fourth commandments were alike violated, and that those who would strike down the one would demolish the other. When man struck a blow at one he would never rest until the other could be destroyed. It was simply a question whether the city should be another Sodom and Gomorrah. How could they spare the Sabbath day? Even the brute needs his Sabbath. Our physical and intellectual life demands it. They might show how all the noblest faculties of the mind were filled with their proper nutriment on that day. There should be one day on which man could learn the lesson of his immortality. How should they secure the feeling that man is immortal, and lift his aspirations towards Heaven? Could it be learned in Chatham street among the ready-made and second hand clothes seven days in the week? Could it be learned among the sales and exchanges of real estate in Wall street, where the chief music is but the chink of the dollar, and the chimes of old Trinity serve but to remind the merchant of the hours of banking and business? Could it be learned in Broadway, among the silks and diamonds? How could they bring sweet and high and holy influences upon them? They must have a day for this, and God gave them that day, not simply for relaxation from labor, but for a high and holy end. Some would deem a Sabbath of amusements sufficient; but, if they would read of the effect of such Sabbaths, follow a company on a Sabbath to Jones' Wood, and see the spiritual stimulants of the preachers. All accounts agreed that the day was spent in dissipation; that the men had not been drinking in the beauties of nature—it was lager bier that they were drinking in from morning to night. It was the rope-dancing, and all the belittling influences of the mind, that attracted the crowd. And were *they* most refreshed for the next day's labor? Or was it not those who observed the Christian Sabbath who were most refreshed by the day of rest? Was it not these, at peace with God and man, who awoke refreshed for the duties of another week? But, if this life was our all, we might eat and drink, and perhaps the sooner we die the better. Then is man the waste of all that is believed to be noble, and the gospel of the German

philosopher—the doctrine of suicide—is the only gospel for man. When society had so forgotten its immortality, that doctrine of suicide became practical; it was preached, and men plunged into destruction by thousands.

Let the friends of reform therefore gird on their armor. They preached not the long, gloomy, dull, unpleasant, pharisaical, puritanical Sabbath that their enemies suggested, but the Sabbath that God "made for man"—ministering to man's best want, and bringing down its mercies upon him. If the editors of those presses who had aided them were present, he would call upon them to renew their efforts. Oh! let them write for God, for truth, for what ennobles men, for that which will train up our youth as citizens of whom our country may be proud. And, oh! that they should write no line that, "dying, they would wish to blot."

What memories and hallowed associations were gathered round the Sabbath day! Well might it be called the Pearl of days. Well had COLERIDGE said, "It brings fifty-two Spring days to us in the year. Spring days, indeed, they were, which, leading back to the remembrance of Paradise, led onward to that day when eternal Summer should spread again over the earth."

The venerable Mr. GEORGE DOUGLAS, of Long Island, arose among the audience, and gave utterance to his interest in the Sabbath Reform, with the munificent proffer of \$2,000 to sustain the operations of the Committee. Not a word had been said during the exercises as to the pecuniary burdens of the movement; but this and other generous acts show that the friends of the Sabbath are not unconscious of their existence, and are not unwilling to share them.

With the Christian Doxology, and the Benediction pronounced by the REV. DR. KREBS, the immense assembly dispersed.

THE PRESS OF NEW YORK

ON THE

LAW AGAINST SUNDAY THEATRES, ETC.

1. The Law.
 2. German Petition and Remonstrance.
 3. Action of Police Department.
 4. Organized Resistance to Law.
 5. Comments of the Daily, Weekly, and Sunday Press.
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AN ACT

To Preserve the Public Peace and Order on the first day of the week, commonly called Sunday.

SECTION 1. It shall not be lawful to exhibit on the first day of the week, commonly called Sunday, to the public, in any building, garden, grounds, concert-room, or other room or place within the city and county of New York, any interlude, tragedy, opera, ballet, play, farce, negro minstrelsy, negro or other dancing, or any other entertainment of the stage, or any part or parts therein, or any equestrian, circus, or dramatic performance, or any performance of jugglers, acrobats or rope-dancing.

SEC. 2. Any person offending against the provisions of this law, and every person aiding in such exhibition, by advertisement or otherwise, and every owner or lessee of any building, ground, garden, or concert-room, or other room or place, who shall lease or let out the same for the purpose of any such exhibition or performance, or assent that the same be used for any such purpose, if the same shall be used for such purpose, shall be guilty of a misdemeanor, and in addition to the punishment therefor provided by law, shall be subjected to a penalty of \$500, which penalty the Society for the Reformation of Juvenile Delinquents in said city are hereby authorized, in the name of the people of this State, to prosecute, sue for, and recover for the use of said Society; in addition to which, every such exhibition or performance shall of itself forfeit, vacate and annul, and render void and of no effect, any license which shall have been previously obtained by any

manager, proprietor, owner, or lessee, consenting to, causing, or allowing, or letting any part of a building for the purpose of such exhibition and performance.

SEC. 3. This act shall take effect immediately.

[*The above Act was passed, and signed by the Governor, April 17, 1860.*]

German Petition and Remonstrance.

[The following Petition, printed in *English* alone for the signature of *Germans*, was circulated in Beer Gardens and Theatres, and received 4,805 names, including fabrications and forgeries. It speaks for itself.]

PETITION FOR THE REPEAL OF THE SUNDAY LAWS.

To the Honorable the Legislature of the State of New York :

The undersigned, residents of the City of _____, being satisfied that the Sunday Laws as they now exist are unconstitutional, inasmuch as they deprive citizens of their civil and religious liberties, and being further convinced that they cannot and ought not to be enforced, because public opinion has condemned said Laws: Now we, the undersigned, respectfully petition Your Honorable Body for the repeal of the said Sunday Laws, and we at the same time remonstrate against the passage of the bill recently introduced, by which said laws are to be made still more stringent and vexatious.

And Your petitioners will ever pray.

From THE JOURNAL OF COMMERCE, March 17.

RALLY OF GERMANS FOR THE SUNDAY LAWS.

[The attempt of the German beer-garden gentlemen to repeal all our Sunday Laws has aroused the respectable German population. Without any public meeting, and almost without concert of action, they have sent forward about one thousand signatures to the following remonstrance, and thousands more will follow. It turns out that the noisy, Sunday-despising portion of the German population is not so numerous or powerful as their boasting would indicate.]

REMONSTRANCE OF GERMANS AGAINST THE REPEAL OF SUNDAY LAWS.

[Translation.]

To the Honorable the Legislature of the State of New York:

The undersigned, German residents of the city of New York, concur in the sentiment of one of the resolutions unanimously passed at a meeting of more than 1,500 German citizens, held at Cooper Institute, October 16th, 1859, as follows :

"Resolved, That in the Sunday Laws of this country, as they obtain in nearly every State of our great Republican Confederacy, we see nothing that conflicts with the cherished principles of civil and religious liberty; on the contrary, we regard them as one of the strongest guarantees of our free institutions; as a wholesome check upon licentiousness and dissipation; as a preventive of pauperism and crime, which must necessarily undermine and ultimately destroy the liberty of any people."

We therefore earnestly remonstrate against the repeal of the laws of this State, which guarantee and protect a day of weekly rest and worship for all classes.

The undersigned would also pray that a law may be enacted to regulate and restrain demoralizing public performances on all days of the week, and especially on Sunday, as a necessary means of arresting the dissipation, pauperism and crime, which are bringing a reproach on the German name.

From THE TIMES, April 4.

BOGUS NO-SUNDAY PETITION.

ALBANY, Friday, March 30, 1860.

To the Editor of the New York Times:

A German gentleman of New York, who does not train in the Lindenmuller Company, a little curious about the Anti-Sunday Petition of his countrymen, gives me the following results of his investigation this morning. The whole number of signatures claimed to be attached to the petition varies from 10,000 to 100,000! The actual number is 4,805. Of these, 317 are appended to a MS. petition, addressed to the Governor, and purport to be the signatures of "*Citizens of the City of New York.*" These names he compared with the *New York Directory*, and it is ascertained that *eleven* are genuine—including five saloon-keepers and grocers; but that *three hundred and six out of three hundred and seventeen are not to be found!*

Among the signatures in the larger list are many obvious forgeries: for example—"Horace Greely, No. 95 Elizabeth street," has not the poor merit of being spelled accurately. Other equally unfortunate errors abound. This ought to dispose of the No-Sunday Petition, and of the opposition to the bill for suppressing the Sunday theatres. They are the known centres of many vices and crimes. This bogus petition must now be added to the catalogue of iniquities for which they are responsible.

K.

From THE OBSERVER, April 5.

ANTI-SABBATH MEETING.

The German meeting at the Cooper Institute last year was a noble demonstration in favor of the Sabbath, and a proof that the Germans as a mass do not sympathize with the keepers and frequenters of beer-gardens in their effort to break down the respect for the Lord's day which is a characteristic of our land. There has recently been a demonstration on the other side, called out by the introduction of the bill before the Legislature of the State to suppress Sunday amusements in the theatres and gardens. It was a most ridiculous failure, as the following report which we take from the *New York Times* will show. Not only are the respectable class of Germans ashamed of this opposition to the Sabbath, but it seems that the enemies of the day cannot rely upon their own forces. The *Times* of March 29th says:

The response was not very cheering to the call in the German papers for a meeting yesterday, in Lindemuller's Saloon, to oppose the passage of the Sunday Amusements bill. Our reporter remained an hour after the time advertised, and was able to count only *sixteen* persons.

Mr. Lindenmuller was displeased at the indifference or opposition of the Germans to the bill. Here are a thousand German musicians, said he, who are paid liberally for their Sunday work out of the hard-earned money of the proprietors of theatres and beer-gardens; and if they would come and give only a dollar a piece, it would make a fund that might defeat the bill. But they spend the money in the pot-houses during the week that they earn on Sunday, and we can't get help from them. He wished with all his heart that the bill might pass; and he would himself become a spy to aid its execution, so as to punish the fellows who did nothing to

prevent it! And he had thought of getting a law against all business on Sunday from 10 to 4 o'clock, for then he could stop *preaching*.

All present abandon the hope of preventing the passage of the bill. One said that it was the *farmer's boys* from the country, who know nothing of city life, whose votes in the Legislature made such laws. Another said that while there was no "Church and State" in this country, the religious feeling was much stronger than in Europe, and that was the foundation of such laws. To the inquiry whether it would be enforced if passed, it was replied that Mayor Wood could not be expected to help them resist a plain law. Some complaint was made that one of their delegates to Albany had charged \$50 and another \$100, for two or three days' work, and it was agreed not to send another. The suggestion was made that the American theatres might be induced to give Sunday performances, which would strengthen the German Anti-Sunday cause. Our reporter came away with the feeling that the No-Sunday movement among the Germans is not in a very flourishing condition.

Extracted from THE EVANGELIST, April 5.

We have nothing to say now of the legislation that is based on the mere chances of party, nor of the peril to our institutions from the disposition to pander to vice and iniquity for the sake of votes. We wish simply to suggest the inquiry whether in the existing state of parties, a *practically No-Sunday position*, in accordance with the claims of the German beer-garden gentlemen, will be likely to conciliate more votes than it will alienate. Politicians underrate the numbers and the strength of the moral and religious element in the city, State, and country. It is rarely aroused. On many issues it would be divided—even on those relating to the Sunday question. But on so simple an issue as that now before the Legislature—the suppression of the monstrous system of Sunday theatres, associated as they are with drinking, gambling, and prostitution—there can be no division of sentiment or action. A party that should arouse that sentiment by tampering with the very vice sought to be suppressed, would destroy its prestige, and endanger its existence.

There were in the State of New York in 1850 no less than 4,134 churches, having accommodations for 1,913,854 persons. There must be now at least 5,000 churches, having at least 800,000 members. A still larger number of attendants on public worship and friends of order and morals may be counted on as in sympathy with the Christian element as to the value of the civil Sabbath. And how strong soever may be the political affinities of this million and a half of our population, there are tens of thousands of them—voters too—whose moral and religious convictions are still stronger. Whatever may be true of city members, it is certain that no representative of the people from the interior of the State dare face his constituency when recreant on a question of this nature. A majority even of the German population itself, away from the city—and a large minority here—as earnestly reprobate the Sunday excesses of their countrymen as do the best American citizens; and no surer method of driving them from a party could be adopted than to hesitate on a question of simple morals at the beck of Sunday-theatre proprietors.

Another fact seems to be overlooked in the calculations of party leaders. The Religious Newspapers of the city and State, with an aggregate of half a million subscribers, are a *unit* on this question. It would be with extreme reluctance, doubtless, that they would intervene to disturb the relations of political parties; but a manifest sacrifice of public morals for partisan purposes would leave them no alternative. A rallying cry from that quarter would bring thousands of men into the field in opposition to any party that should choose to barter away the Sabbath. And the respectable secular Press, for the most part, would be true to the ground it

has taken on this question, adding its immense influence to the movement for resisting the coalition of party with immorality and crime.

We would advise the managers at Albany to pause before they render it necessary to arouse the friends of the Sabbath, who are notoriously the friends of morals and good government. Whether Protestant or Papal, native or foreign born, their convictions are settled and inflexible. And the party that trifles with them may gain some votes of rowdies and Sunday beer-guzzlers, but it will disappear before the distrust and indignation of citizens who have a stake in a government of law based on popular intelligence and virtue.

Action of Police Commissioners.

COPIES OF GENERAL ORDERS.

No. 186 :

New York, April 21, 1860.

I am instructed by the President of the Board of Police, to direct you to forthwith notify all persons dealing in intoxicating liquors in your Precinct, that they shall not publicly expose or dispose of the same on Sunday, under the penalty of *fifty dollars* for each offence ; and if such persons shall after such notification persist in displaying or disposing publicly intoxicating liquors, to arrest them in the manner prescribed by law for the arrest of offenders.

No. 189 :

New York, April 27, 1860.

By advertisement in the newspapers, and by personal notice to the Captains of Police, all persons in the city of New York have been informed of the provisions of the Police Act which makes it unlawful to publicly dispose of intoxicating liquors on Sunday, and which requires the police to arrest all persons who shall so publicly dispose of intoxicating liquors on Sunday. You are therefore directed to instantly arrest all persons who shall be found publicly disposing of intoxicating liquors on Sunday.

Repeated inquiries have been made during the past week if Lager Beer be intoxicating liquor. The Board of Police on application to its counsel is informed that the question has not been finally adjudicated.² It has been held in several instances that Lager Beer is not, while in other cases it has been affirmed to be, intoxicating liquor. In view of these contradictory decisions you are directed not to make arrests for the vending of Lager Beer until the action of the Board of Police, but to make complaint as usual in cases of persons violating the laws of the State, and the ordinances of the local authorities in respect to the observance of Sunday.

No. 190 :

New York, April 28, 1860.

You are directed to cause to be arrested, on Monday morning of each week, all persons who shall have held theatrical or other entertainments in the city of New York on the previous Sunday, in violation of the act, entitled, an act, &c., passed April, 1860, and you are admonished that the Board of Police expect the prompt and rigorous enforcement of this order.

² It would appear that the counsel had not been advised of the recent decision in THE COURT OF APPEALS affecting this question, of which the following notice has been published :

THE LICENSE LAW—IMPORTANT DECISION.

(From the *Cooperstown Freeman's Journal*.)

We notice by the published decision of the Court of Appeals, announced at the close of the late March term, that the judgment of the Supreme Court in the case of the Board of Commissioners of Excise of Tompkins county agt. Taylor et al., was affirmed. As we understand the question in that case, the Court of Appeals has decided that "ale and strong beer" are included in the terms "strong or spirituous

Organized Resistance to Law.

From THE TRIBUNE, May 1.

MEETING OF GERMAN INN-KEEPERS.

A meeting of upward of three hundred inn-keepers was held on Saturday morning at the "Stadt Theatre," in the Bowery, for the purpose of resisting the execution of the Sunday law, Mr. Leutz, the President, in the chair. This was the second meeting of an association formed a week ago, with the motto, "In Union there is Strength." The rolls of membership were produced and circulated until 280 names had been written therein, each member in advance paying a heavy initiation tax, to be appropriated for lawsuits and fines. They all bind themselves thus to pay the expenses of the first man who is attacked by the law, and to see him through the trial. A number of other societies already exist on the same principle. There is one defending upward of a thousand suits for selling liquors without license, but it is confidently believed by the saloon-keepers that they will never come to trial, they being required, notwithstanding, to give bail to appear. Preliminary business having been disposed of, various speakers expressed their views as to the best course to be pursued under the circumstances. The meeting was kept up for several hours, and, finally, it was agreed to make a compromise. All belonging to the association pledged themselves not to allow any gaming, billiards, shooting, dancing, or other amusements at their establishments; and the saloons and theatres were to be shut up entirely between the hours of 9 o'clock in the morning and 4 o'clock in the afternoon. Before and after these hours it was stated they had been assured by the police they would not be interfered with in the manner of keeping the Sabbath. Those overstepping these regulations were not to be benefited, in case of a prosecution, by the treasury of the association. A tax of ten cents upon every barrel of lager beer sold, it is expected, will bring into the treasury from \$500 to \$1,000 weekly. The meeting adjourned for one week.

liquors," as used in the Act of the Legislature, entitled "An act to suppress intemperance and to regulate the sale of intoxicating liquors," passed April 16, 1857.

The old Court of Errors decided that "ale and strong beer" were within the prohibition of the statute then in force, the phraseology of which was like the present act, (see 3d Denio, 437.) and the Supreme Court in this District, at the July term, 1859, decided the same question now affirmed in the Court of Appeals, in the case of the Commissioners of Excise of Madison county vs. Hill. This decision was made the law of this District, and was of course binding on the Circuit and County Courts within its jurisdiction until otherwise determined by the Court of Appeals—and yet Judge Turner, in his charge to the Grand Jury at the February term of the County Court, said in effect that it was competent for them to determine whether they would find any indictments against parties charged with selling strong beer without a license, until the Court of Appeals should finally settle the question at issue!

It is now held to be the law of this State, that the retailing of "ale and strong beer," as well as other strong or spirituous liquors, or wines, in quantities less than five gallons, without license, renders the party liable, not only to indictment, but to be sued and a recovery of \$50 had for each glass sold. Tavern keepers, druggists and store-keepers who have complied with the act, and paid for licenses, have complained of the unequal working of the law, while other parties have been permitted to sell ale and strong beer without a license; and others have complained that the clause intended to prevent the sale of any intoxicating liquors on the Sabbath, and to close all tipping shops on that day, has been actually annulled. In New York the number of Sunday beer-shops increased enormously for a time.

From THE TIMES, May 2.

THE GERMANS AND THE SUNDAY LAW.

A portion of our German fellow-citizens are resorting to practices for the evasion of the new Sunday law, which will prove neither creditable nor serviceable to their cause. Those of them who sell beer object very strenuously to being curtailed of that privilege of one day in the week, and have formed two associations for the purpose of contesting the validity of the law and disarming the vigilance of the police. A meeting of the parties concerned was held at the Stadt Theatre on Saturday, and was attended by nearly forty of these gentlemen. A tariff of twenty cents a barrel, or thereabouts, was imposed on the Sunday sales of lager, to be collected on Monday morning, and expended on lawyers, courts, &c., and to protect the confederates in violating the law.

The proprietors of the theatrical establishments have resorted to a still more discreditable process. They pretend to have established a new religious sect, and under cover of the freedom permitted to all kinds of worship, claim the right to have such exercises as they see fit on Sunday. M. Lindenmuller, who seems to be one of the least scrupulous and most shameless of these persons, has published a programme of his purposes in the German papers. He announces that he has founded a new free German church, which has for its object the sanctification of the Sabbath, the instruction of the people, and the improvement of young criminals in this happy land. He denies that he intends to ridicule religion, but he claims the right, under our Constitution, to practise any religion he chooses. A preacher in church only tells you from the Bible that if good, you will be rewarded, if evil, punished, in this world and the next. Any man who acts on the principle of doing to others as he would have them do to him, does not need this assurance; and any one who does not act upon it will not care for the warning. No priest can change him. He has more fear of the Judge in Centre-street than of the Judge in Heaven. "If," says he, "I give moral representations on Sunday, decent and instructive, I am a preacher, and my actors are orators; no church is anything but a different kind of theatre." He announces, therefore, the discourses which he and his colleagues will deliver—each being in five parts. Ten cents is to be paid for admission into the temple; but admission to the garden—"under the eye of God and the free sky"—is free.

ATHEISM AVOWED.

Under this announcement, his *Shaker congregation*, as he calls them, assembled on Sunday evening last. Towards midnight—after the regular performances—he delivered his discourse, and was a good deal more frank than he had been in his published programme. "I openly confess," said he in substance, "that *I am an Atheist*. What is an Atheist? *An Atheist believes only what he sees*. Here the wealthy classes have seven days of rest in a week, instead of one, as we have; and they want to take away from us this one. If these hypocrites would be consistent, they must stay away from the church on the Sabbath, for God commanded, as they say, that they should rest on that day. Is not the bawling of psalms and prayers a great labor? But all labor is prohibited to them on the Sabbath. What think ye of the justice of God? I don't think much of it. Would a just God permit an unfortunate deaf mute to suffer for the sins of his parents? Pretty justice, that! Do you believe in miracles? Do you believe that Moses led the Egyptians through the

Red Sea? That Christ fed 3,000 with so little? I have fed some thousands, but it took more than five loaves to do it. These cursed priests say all this merely for gain. Don't you believe that if they could get more money by establishing theatres, they would to-morrow change the church into a theatre, and engage play-actors? Most certainly they would. Nothing but professional envy induces them to force the Sunday law upon us. Go to the Bible Society, and tell them you need fifty cents for a poor family; verily, you would not get it. We must multiply more such theatres as mine, so as to compete with the churches; and then the preachers will become play-actors, and let us alone."

Nearly a thousand half-drunk Germans listened to and applauded these Atheistic ravings in a Sunday Theatre, in the interval of comedies performed in open, avowed defiance of a law of the State, passed within a fortnight!

From the same, May 8.

ANOTHER MEETING OF ANTI-LAW GERMANS.

A loud call was made in the German papers of Saturday, for a rally of "Importers and Dealers in Wines and Liquors, Brewers," and Lagerbier-dom generally, as well as "every German whose means will allow," at the Stadt Theatre, in the Bowery. The object of the meeting was to gain strength for the "Anti-Sunday Association," and to settle the principle that "what is lawfully allowed on so-called week days shall be allowed on the so-called Sunday." The moderate sum of \$1 is received for membership until the 15th May, when \$3 will be charged.

The meeting came off at 10 o'clock, but the demonstration corresponded poorly with the promise of the announcement. Not more than twenty persons were present, and it was stated that only fifty-two members have joined the Association. Even the amiable keeper of the Volks Theatre, Eustachi, was not there, but Lindenmuller was. Eustachi's arrest, on Monday last, may have disgusted him. It was stated that only one brewer was present. The proceedings were quite tame. It was agreed to print the Constitution, &c., so as to awaken the sympathy of the hotel-keepers. If any member of the Association is arrested for Sunday Theatricals, he is to call upon Leutz or Hermann, and he will be helped out of the scrape. It was stated that everything depended on the Captains of Precincts, and on the Police Justices. Some of them would make no arrests or convictions. Justice —— was alluded to as specially friendly; and if they could manage to be taken before him, *they would be certain to be discharged.* [Perhaps the Patrolmen will thank them for this information.]

It was announced that the Stadt Theatre would give a performance on Saturday night for the benefit of the rebellion fund; and Lindenmuller and Eustachi are to follow suit.

If the parties interested in violating law cannot get up more formidable demonstrations than those we have reported, we shall soon tire of the task. We suppose the fact to be, that while some thousands of Germans are not unwilling to carouse in a Sunday theatre, if opened to them, very few of them care enough about it to fight the battles of the score or two of men who wish to pocket the profits of their dissipation. A little vigor on the part of the police, and a few \$500 fines against owners, keepers, players, and all concerned, will end this unequal contest.

From the same, April 30.

THE OBSERVANCE OF THE SUNDAY LAW.

The Sunday law, notwithstanding the impetus afforded to its violation by the excitement occasioned by the Great International Fight, was pretty well observed yesterday. Certainly it was not so openly disregarded as on the previous Sundays.

The prominent offenders were located in Broadway, and in the leading streets a few blocks from that thoroughfare, in whose "Institutions" side-doors were open, ingress, and egress made feasible, and the whipping of SAYERS by HEENAN was the prominent topic of discourse. That discourse had to be "washed down," but the fear of the law on the part of the proprietors prevented the admission of more than half a dozen disputants at one time, and bolts and bars were prohibitive to any but "the old, familiar faces." The keepers of every drinking saloon were notified on Saturday night that the penalties of the law would be fully and impartially enforced, in the event of an infraction of the statute, and, in consequence, the majority of the "dispensers of liquid enjoyment" closed their houses altogether, without any deception of side-doors. As a doubt exists with the Police Commissioners that lager beer is an intoxicating drink, the members of the force were directed not to arrest the proprietors of saloons where that beverage is exclusively sold, but merely to report them for future action, when the still-disputed point shall have been decided. Accordingly the lager beer gardens in the Bowery and other streets were overrun with customers all day long, and an extraordinary quantity of that beverage was sold. Early in the evening the usual dramatic and musical entertainments were given in the German theatres and gardens. With the proprietors, however, the police did not interfere, merely contenting themselves with a sedulous search for offenders of this sort, all of whom will be reported to the District-Attorney. The following arrests were made, the prisoners having been discharged after furnishing \$300 bail: Frederick Dehlike, No. 246 Delancey street; Louis Bitjemann, No. 122 Canal street; Thomas Casey, No. 300 East Broadway; Henry Swartz, No. 57 Pike street; James Casey, corner of James and Madison streets; and Ellen Sheehan, Worth street, near Centre.

From THE EVENING POST, May 7.

THE OBSERVANCE OF THE SUNDAY LAW.

If we were to credit fully the returns of the police and the items of some of the morning papers, we should believe that the Sunday liquor and amusement law has been very generally observed. If, however, we go behind these, and learn the real facts of the case, we shall find, that while there has been in numerous instances, a pretended observance of the law, it has been so evaded and secretly violated that it has, in fact, been virtually nullified.

Not only is this the case, but the instances are numerous in which it has been openly set at defiance. The Bowery, last night, was as lively as the most determined enemy of the law could desire; and while some of the small places were closed, the large ones were in full blast.

Volks-Garten, the great Sunday evening resort for our Teutonic population, where they take their families and drink lager beer and Rhine wine, had an audience of not less than two thousand persons, and the waiters were busy until midnight, in dispensing the forbidden beverage. The billiard tables, shooting gallery, &c., were incessantly patronized, while the performances on the stage elicited loud applause.

Many other places were less lively, only because less extensive. At Hoym's Theatre a notice was posted in German and English, to the effect that a new religious society called "German Shakers" met there, and that none but members were admitted. It is perhaps unnecessary to add that this was a mere ruse for supplying drinks to the thirsty.

Around the Central Park booths were erected, and beer sold without restraint.

The police made a few arrests yesterday for violation of the law; but it is worthy of note that these were among the keepers of small and comparatively unimportant

places. Some of our officers seem to be troubled with visual obliquity in passing the establishments of powerful and wealthy proprietors; but when they come to a wretch who has neither money nor friends, the majesty of the law is vindicated.

From THE EXPRESS, May 21.

THE SUNDAY LAW AND THE POLICE.

In another part of our paper will be found a full report of the principal places about town whose scandalous misdoings on the Sabbath was just the occasion of the new Sunday Law, and which gave direct point and bearing to its enactment. Disreputable and profane as these things have heretofore been represented to be, we were not prepared for the truth, in its full extent, as presented in our report of these disgraceful scenes and orgies. It is doubtful if one in a thousand of our orderly citizens have even a faint idea of the seductive and abominable dens thrown wide open on the Sabbath, with all their degrading and demoralizing influences, to the youth of the city; our youth, who are hereafter to be our men, our guides and exemplars. The contemplation is a fearful one. There is something either very ridiculous, or very outrageous, in the sufferance of these things, and the public should demand that the *intention* of the law be enforced at all hazards.

Mode of Dealing with Sunday Liquor Dealers in Baltimore, Md.

Judge Stump having been impeached for drunkenness and want of fidelity to his official duties, and Justice Bond having been appointed as City Judge of Baltimore, one of the first steps in restoring public order and morality has been the suppression of the Sunday Liquor Traffic.

In the "*Baltimore Exchange*" of April 25, we find, in a notice of the proceedings of the Criminal Court, many items like the following:

"*State vs. John Hoffman*, indicted for selling liquor without license. The court thought the establishment ought to be broken up, declared the traverser guilty, and ordered him to pay fine of \$200, and costs; total, \$217.25. *Jeremiah Dillon*, indicted for selling liquor without license. Tried before the court, guilty. Fine and costs, \$58.57. *Jacob Petrie*, against whom three indictments were pending for selling liquor on Sunday, forfeited his recognizance, and a fine of \$50 and costs in each case was imposed on his bondsmen. *John Kohlis*, charged with selling liquor on Sunday, was fined (two indictments) \$67.14. A large number of indictments for selling liquor on Sunday, and without license, will be disposed of to-day."—Lawlessness has ceased with the suppression of a lawless business.

Comments of the Daily Press.

From THE TRIBUNE, April 25.

SUNDAY LAWS.

The People of the State of New York, represented in Senate and Assembly, have seen fit, we may say from time immemorial, to enact that the first day of the week, commonly called Sunday, should be peculiarly a day of rest. On that day no man need fear an arrest for debt, or the service of any civil process; no man is required to serve on juries, to attend court as a witness, or (in time of peace) to perform military duty. It is emphatically the poor man's day—his weekly day of exemption from ordinary labor—a day on which he may enjoy fully the society of his wife

and children. We believe that, if all peculiar respect for it were obliterated, the majority of the poor would work seven days per week for no more average wages than they now receive for six, and that their moral, physical, and pecuniary condition, would be decidedly worse than it now is. We hold it, therefore, the clear interest of the Laboring Class as such to uphold and insist on the present legal *status* of Sunday.

This day of the week is also regarded with peculiar reverence and honor by the great majority of the Christian world as that on which their Saviour rose from the dead. Some of them—we believe a majority—regard it further as bearing, by transference, the peculiar sanctity anciently attached to the seventh day of the week, or Saturday, as that whereon God rested from his work of creation and hallowed it. Most Christian sects and churches celebrate Divine worship in public on this day; but this is a matter of free personal choice, with which the law of our State does not concern itself. We trust, however, that any fair, liberal man, no matter of what creed, or of none, will say, "If the State sees fit to declare and maintain a weekly day of rest from all ordinary labor, then it is but reasonable and just to select for the purpose that day which the largest number of our people consecrate (at least in part) to religious instruction, meditation, and communication with God."

If there were any attempt to make people religious by law—to compel them to attend church, or to participate in devotional exercises of any kind—we should strenuously resist it. We stand for freedom not merely in religion, but in irreligion. We insist that an Atheist shall be not merely allowed, but required to testify in courts of justice precisely like any other man, leaving his want of religion to be shown and allowed to have such weight as it may be deemed to deserve. There are a great many sceptics whose word will go further—because it is worth more—than that of many avowed believers. Let us have freedom in all things but doing evil; but freedom to fling stones through the windows of a church, upon the bowed heads of a worshipping congregation, seems to us carrying the thing rather far; and we do not see that it would be less wrong to disturb them by drunken yells and snatches of obscene or ribald songs. It seems to us that even gentlemanly infidels should say: "Since the Christian majority wish to be undisturbed in their devotions on Sunday, we will so order our pursuits as to give them no needless annoyance." So much the law of our State requires of her citizens: we cannot think it too much. But, says an objector, "You quietly assume that the Sunday-upholders are a majority." Yes, we do. The fact that our laws have uniformly assumed it, yet have stood substantially unchanged in this respect, is to our mind conclusive. But we freely, cheerfully concede the right of the opponents of the civil Sabbath to make up an issue on the subject, and try conclusions before the grand inquest of the People. If the anti-Sabbatarians choose to make such an issue, though we must go against them, we shall respect their frankness, and endeavor to give them fair play.

But the course they see fit usually to follow does not command our respect. They are perpetually barking at the heels of the Sabbath, not looking it square in the face. They talk of "Aminadab Sleek," "the Saints," "pious Pillsbury," &c., &c., all of which sounds to us like very cowardly and rather dirty slang. So do their outcries against each attempt to enforce some tolerable respect for the Sabbath, as if it were an entirely new device, when, in fact, it is but requiring obedience to laws which have existed in substance for generations. It surely cannot be necessary to state that keeping theatres, tippling-houses, &c., in full blast on Sunday, is not legal in this State, and has not been at any time during the thirty years we have lived in it—how much longer, we will not now say. All recent legislation

on the subject has consisted simply of attempts to stop evasions or open violations of original provisions of the Revised Statutes. The act recently passed is nothing more.

We say, then, to the anti-Sabbatarians, If you deem yourselves men, be manly ! Make a square issue, if you will, on the abolition of all State laws which distinguish Sunday from other days, and if the people are with you, their votes will show it. If you do not choose to abolish *all* civil recognition of the Sabbath, agree among yourselves as to what portions of those laws you will have repealed, make a distinct, square issue thereon, and, if your requirement is reasonable, you need not fear an adverse decision. But this growling, and snarling, and calling names, is sorry business ; and, if you have nothing better to say, it were wiser and better to keep silence.

From THE JOURNAL OF COMMERCE, May 3.

OUR GERMANS—LAW, OR NO LAW?

We inserted on Monday a notice of an organization of the "German Anti-Sunday Law Association" without comment. Had it been an association to effect the repeal or the modification of a Sunday law or any other law, we should not have returned to it. But as a class-combination, avowedly to resist the enforcement of an existing statute, this organization, and the action last Sunday of its several members in defiance of our authorities, demand the attention of the press and the public.

The antecedent facts out of which this association sprung are briefly these : With the increase of European emigrants gradually arose a system of Sunday amusements previously unknown in this country. The large measure of liberty here enjoyed, rendered still larger by an undisciplined police and the concealment of a foreign language, at last degenerated into the grossest license. Sunday had come to be preëminently the day of dissipating sports and of personal indulgence. The beer-saloon grew into the theatre, and the theatre into a pandemonium of gambling, dancing, and nameless vices. Many such establishments, thronged by thousands of the youth of both sexes, and by the vicious of all classes, at length compelled the attention of the community to the tendencies of such a skilful system of popular demoralization.

When the parallel wrong of the Sunday liquor-traffic was exposed, it was thought that a proper enforcement of the law would dry up both of these sources of evil. But it was found that men who were pocketing hundreds of dollars every Sunday, could laugh at the trifling penalties which restrained smaller offenders, and that new legislation was demanded, to control adequately these mammoth establishments. A law for this purpose passed the Legislature, but in a form not satisfactory to Governor Morgan, and he returned it with his objections—expressly approving, however, its *Sunday* provisions. Another bill, relating simply to the peace and order of Sunday, was put on its passage. It was bitterly opposed by the parties interested in Sunday amusements ; but became a law on the last day of the session. The Police authorities have entered on its execution—whether with needful deliberation, and in the wisest manner, need not here be discussed.

Now, with all allowance for imperfect acquaintance with our laws and institutions on the part of recent comers from other lands, it would seem that common prudence would restrain our German friends from direct conflict with our authorities, in a case where American public sentiment is clearly embodied in a statute of the State. So long as they braved that sentiment by acts obnoxious only to the moral sense of the community, and perhaps offensive to the common law, it was simply a breach of the peace ; discourteous and ungrateful enough, indeed, but

capable of being palliated on the score of old-world customs. But now that the convictions of the overwhelming majority of the people of this country—including the body of the German immigrants themselves—have crystallized into statutory law, it is little better than bald rebellion to combine for mutual protection in openly violating that law and defying the authorities who are bound to enforce it.

Aside from the urgent motive of self-interest, and the unwillingness to give up a profitable business, probably two considerations incite to the dangerous policy of resistance. One is, the hope of party capital or partisan intervention. That hope is delusive; corrupt as parties have become, no party in this country dare hang the mill-stone around its neck of a no-Sunday issue. Then the precedent of the Maine-Law failure has already been adduced by the Sunday Press to stimulate the German-Theatre men in their lawless zeal. But a moment's reflection must dispel that hope. The Maine Law was an anomaly, sweeping in its provisions, defective in its structure, and oppressive in its operation. The Sunday-Theatre Law is in harmony with the legislation of all our States, from the foundation of our Government. Public sentiment revolted at the enforcement of the former: it demands the execution of the latter. The German press may not have interpreted either American or German sentiment aright, to the keepers or frequenters of Sunday Theatres; but we can tell them that there is a calm, determined purpose among the masses of right-minded citizens, of all classes and parties, that the day of rest and worship shall be freed from play-acting, dancing, gambling, and the innumerable immoralities which cluster around the Sunday Theatre and Beer Garden. Resistance to that purpose will prove as vain as it is ill-mannered and rebellious.

If our Teutonic friends think us mistaken in our judgment of public opinion on this question, they have a palpable method of testing the question, without trying their strength with our government and people. They can renew their agitation for the repeal of all Sunday Laws. Nobody will hinder them. But, until they succeed in that, they will consult their own good and honor the German name by obeying, under protest if they please—the laws as they are. Their appeals to the law for protection would come with an ill grace if they do not respect and obey law. On every account, let those who have profited so long by a monopoly of Sabbath-breaking sports, content themselves with their gains, and fall into the line of all other trades, which content themselves with the earnings of six days, without trenching on “the poor man's day”—the Lord's Day.

From the COURIER AND ENQUIRER, May 4.

GERMAN ATHEISTS.

The most intelligent and influential German paper in this country once claimed for its emigrant countrymen the position of atheistic preëminence. Its language was: “Every one who knows our share in the progress of science and philosophy, knows that *among our people, who stand nearer to the atheistic view than any other in the world*, piety and morals are more strictly separated than among nations whose book of life is the Bible, and the Bible alone.”

We should not dispute this statement were it restricted in its terms to the class of emigrants of the Red Republican type of 1848. As applied to the Germany of the present, or the German immigrants as a whole, it is unsupported by facts. That it aptly characterizes a large class in our great cities, especially in New York, cannot be denied. With some exceptions, the Sunday beer-garden gentry belong to “the people who stand nearer to the atheistic view” than anybody else; but without that marked “separation of piety and morals,” alleged by the *Zeitung*. Their morals and their godless creed are intimately allied. Recognizing no Great First cause—“believing only what they see”—rejecting any rule of right, but their own will—acknowledging no law—reckless of present duty or future retribution,—a

more material, sensual, unprincipled set of *mauvais sujets* never left a despotism to curse a Republic. They number many men of thorough University education; men with talents and acquirements for high positions in literary or political life. But their atheistic "piety," and their consequent want of decent "morals," have plunged them into depths of wickedness, and made them leaders of their countrymen in paths of dissipation and folly.

It was only last Sunday night that one of these dangerous men stood up before a thousand Germans congregated in his Sunday theatre, and when they had imbibed lager and witnessed vulgar comedies enough to prepare them for his ravings, avowed himself an Atheist, defining his creed to be that of one who "believes only what he sees," and then pouring out his blasphemies on the Bible, the clergy, and the people who keep Sunday and "bawl psalms and prayers!"

He is a "representative man," though a little exaggerated. The great body of the hordes who are systematically trampling on our American Sabbath, and who are now banded together to defy the recent Act against Sunday Theatricals, are substantially of this class. Some of them have grown wealthy on their immoral gains. Some of them have influence as politicians. Most of them despise the institutions of their adopted country, and are as anarchical in their views of government, as they are atheistical in their religious creed, and corrupt in their ethical notions. They have even provided a school system, extending to all the principal cities, and numbering scores of teachers and many hundreds of pupils, in New York, *avowedly to inculcate atheistic views of "piety and morals;"* and the German daily press is largely committed to infidel, if not atheistic sentiments—without a single daily journal, so far as we can learn, to defend, or even explain, Christianity, or a Christian morality.

It is such an interest—foreign to the spirit and genius of our country, and hostile to every vital element within our borders—that has ventured to try its strength with our laws and magistracy, in the persistent violation of the recent Act to preserve the public peace and order on Sunday. The establishments started in Broadway and elsewhere, under American auspices, in imitation of the German beer gardens, have now closed their doors, we believe, on the Sabbath. But atheistic Germans stand out and defy the police. They have chosen to present an issue which our authorities and people can only decline by the abandonment of a government of law, and a surrender of the city into the hands of atheistic Sabbath-breakers, and Europeans at that. No: we can do no such thing. The law must be enforced, and promptly enforced. If a majority of the people of this State choose to give up the principle of protecting the Civil Sabbath by legislation, at the next meeting of the Legislature, so as to enable these Sunday Theatre gentlemen to pocket their profits—let it be so. But a wise and needful statute, consistent with those existing from the earliest settlement of the country, stands on record; a vast police system is charged with its enforcement; the public good demands firm and persistent action; and, unless atheism ends in anarchy here as elsewhere, we shall soon see the end of the iniquitous and indefensible system of Sunday Theatricals.

From THE TIMES, May 22.

THE SUNDAY LAW AND THE GERMAN PRESS.

The cry of Religious Freedom always so captivating, has been raised by a great number of the so-called Anti-Sabbatarians, who insist on ignoring the real character and basis of the laws protecting the Sabbath. Instead of accepting the obvious and uniform interpretation given by their supporters, and recognized by our Courts, or of discriminating as to their practical operation, it has been maintained by both American and German journals, within a week, that "the Sabbath is not a political,

nor a civil, but a *religious* institution ;” and that “ the Sabbatarians intend to make the civil power subservient to the Church, and will soon compel every man to go to church on that day, or mulct him in a penalty for his disobedience.” Reams of paper have been spoiled in asserting the “ *unconstitutionality*” of all such statutes. Were the laws what they are represented to be, or were the Constitution the mutilated, perverted thing claimed, there might be ground for the clamor against both. But in truth, both the laws and the Constitution have been shamefully misrepresented. And in point of fact, the constitutional objection has been almost universally based on the first clause of Art. I, sec. 3, [“ The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this state to all mankind :”] without any reference to the concluding clause of the same section, which, of itself, nullifies every claim for Sunday license on the score of religious freedom. One honorable exception to this rule we find in the able leader of the *Staats Zeitung* of May 3 ; and this leader is worthy of examination, both as a specimen of German logic, and because of its relation to the conflict of the Sunday theatre gentry with a recent law of this State.

After scouting the Republican doctrine “ of submission to the will of majorities,” the *Staats Zeitung* proceeds :

“ Our Constitution contains a passage on which the contest against the Sunday law, as an unconstitutional one, may be based. In Art. I, Sec. 3, religious liberty is sanctioned, and the following clause added : ‘ But the liberty of conscience hereby secured shall not be so construed as to *excuse acts of licentiousness or justify practices inconsistent with the peace or safety of the State.*’ This clause shows in the first place, by the mere fact of its existence, that liberty of conscience is not to be limited in any other way than the one mentioned here ; for if other limitations were intended they would have been stated. Furthermore, this clause, on which the ‘ Sabbatarians’ may rest, bears on its very face that the liberty of conscience, which it defines, leaves every one perfectly free to recognize the religious obligations of the Sabbath or not, just as he may choose. By ‘ acts of licentiousness’ manifestly are meant acts directly hostile to social order ; the practice of polygamy, for example. By acts which endanger ‘ the peace and safety of the State,’ political intrigues of religious sects are meant, in order that religious liberty may not be perverted to shelter high treason, as, for instance, monarchical conspiracies. These things, which are contrary to the general social order, as it exists every day, and not on Sunday alone, cannot be permitted under the pretence of religious liberty. And this general social order plainly refers only to political and civil institutions ; not at all to conventional usages. To work by day and sleep by night is such a conventional usage, and a pretty common one. But has any Legislature the right to pass a law by which labor at night shall be forbidden to adults ? Now the Sabbath is not a *political nor a civil, but a religious institution.* Its observance is a conventional usage of several religious sects. To deviate from this usage falls, therefore, within the province of religious liberty, and the Legislature has no right to decree anything in this matter. For these reasons the constitutionality of this and every other Sunday law can be contested, and may it be contested with all energy. Away with the Republican theory of the absolute, uncontrolled will of the majority.’ ”

We have translated enough fairly to unfold the views of our German contemporary—views clearly stated, and enforced with becoming arguments and in a dignified temper. These views embrace a very novel theory of an American State Constitution—a theory, we venture to say, that would be just as novel to its framers and legal interpreters as it must be to all readers trained in a Christian Republic. But this is not all. They involve also a radically mistaken idea of the institution itself,

the relations of which are under discussion. "The Sabbath," we are told, "is not a political, nor a civil, but a *religious* institution." So far is this from the truth, that no Sunday law on our statute-book recognizes the religious designation of the day as the "Sabbath;" it is always described as "the first day of the week commonly called Sunday." It is solely as a "*civil* institution" that our laws relate to the Sabbath, or attempt to guard it from invasion. Civilized society, acting under the instinct of self-preservation, and hedged about by the necessities of our physical, social, and moral being, must have rest from toil; time for the repose of the body; opportunities of intellectual and moral recreation; and it is the duty of society to protect itself and its several members from disturbance and unusual temptation to dissipation and vice on its day of rest. Society, enacting laws to this end, needs and must have some moral basis of these and of all other laws. In America we accept, not the Pagan, or the Mohammedan, or the Mormon, but the Christian code, with its institution of marriage, its oath, and its peculiar day of rest and devotion—less as religious rights than as civil necessities. Here, then, is furnished us an adequate basis for our existing Sunday laws, without raising the question of religious obligation and observance at all; this particular question being left by the letter and spirit of the statutes, and in accordance with the views of all religious sects, solely to the domain of the individual conscience.

It is true, indeed, that this civil Sabbath is also regarded by the great body of Christian citizens as a "religious institution," and observance cheerfully rendered to it as a sacred day by millions of our population. But it is not in this aspect of the season that legal protection has been asked for or given to it. Like marriage, before whose sanctities our laws throw their protecting ægis, by prescribing the conditions of the civil contract and prohibiting infractions of the seventh commandment, while leaving its religious obligations to the conscience enlightened by the Christian teacher, so the Sabbath lends its humanizing, elevating influences to society, and asks from it in return only protection enough to secure its beneficent existence and perpetuity.

But is either the Sabbath or marriage any the less a boon to the material and temporal interests of mankind in civilized society, because the one is revered by many Christians as a sacrament, and the other synchronizes with the season set apart by the vast majority of Christians for worship? Would the Sabbath, as a matter of fact, be more of a boon, if none of the restraints of law or custom prevented capitalists and employers from compelling their workmen into seven days' toil for six days' pay—a result which would inevitably flow from the repeal of such laws in this age of competition? or if the thousand temptations to vicious pleasures were suffered to present their attractions unchecked before the eyes of the idle throngs set free from weekly toil? or if no church-going bell made audible the appeal of a hundred congregations to the conscience and self-respect of immortal beings, and invited them away from the dens of guilty pleasure and the haunts of vulgar folly?

Those who hastily imagine that they are speaking for progress and liberty when they urge with vehemence the principle, that all customs rooted in the Christian element must henceforth receive no sanction of law, can have little notion of the reach of their dogma. Its full application would send us back to the barbarism of ancient Germany, and the Paganism of ancient Rome. The relations of the modern household; our educational, humane and criminal institutions; nay, our common and statute laws—the outgrowth and expression of our national life,—must all be swept away, and of eighteen centuries of civilization scarce a wreck be left behind. Jacobinical France tried the experiment only to renounce together, in

mingled rage and contempt, the Revolutionary Calendar and the Revolutionary Guillotine. Observe, too, the partiality with which a society without a Sabbath must needs be administered and ruled. Every Christian would necessarily, and on conscientious grounds, be excluded from office; for Legislatures, courts, custom-houses, public offices of all kinds, would have no warrant for the intermission of their business on the Sabbath; and, of course, therefore, no "Sabbatarian" could accept a position of public responsibility. Halcyon days, those, for the handful of anti-sectarian sectarians, who clamor now for "equal rights, and no Sunday laws!" All the official stations in the country would be in their possession; the earth would be theirs, and the fulness thereof.

The doctrine of the *Staats Zeitung*, that "the Sabbath is not a civil institution," being dismissed as unsound, its propositions as to the application of Article I, section 3, of the Constitution to this question disappear. But its exposition of the Constitution itself requires a moment's attention, as illustrating the folly of reckless dealing with political instruments, drawn up in a strange land and in a foreign language, without so much as resorting to a Dictionary. "Liberty of conscience shall not be so construed as to excuse acts of *licentiousness*," says the Constitution. True, says the *Zeitung*; but "by acts of *licentiousness* are manifestly meant customs in direct opposition to our social order—*polygamy*, for example." Such may be the manifest meaning to a German mind: to one familiar with the language, laws, or customs of this country, no interpretation could be more absurd. The exegesis of our German commentator is as ingeniously superfluous as the most elaborate escape of Dr. PAULUS himself from the plain force of a Scripture text. Polygamy was unknown in the State when the Constitution was formed; as it is now unless perhaps in some of the wilder Beer-Garden quarters. Any English dictionary would have turned the constitutional dreams of the *Zeitung* at once into daylight. WEBSTER, for example, explodes the whole argument in a single definition, to this effect: "LICENTIOUSNESS. Excessive indulgence of liberty; contempt of the just restraints of law, morality, and decorum. The *licentiousness* of authors is justly condemned; the *licentiousness* of the Press is punishable by law.

'Law is the god of wise men :
Licentiousness is the god of fools.—*Plato*.'

According to this definition, the *Zeitung* will see that such perversions of the organic law of the State as we have exposed would bring their author within the scope of Dictionary and Constitutional thunder against practices more common, if more decent, than "polygamy."

If the German organizations arrayed to test the constitutionality of the Sunday Laws are guided by counsels like those of the *Staats Zeitung*, and if funds are raised and lawyers retained with the view of securing judicial decisions to the effect that "the Sabbath is not a civil institution;" that "licentiousness manifestly means polygamy" alone; and that therefore Sunday Theatres may be lawfully opened in New York, in the face of law and in defiance of public opinion; we opine the only net result will probably be a fresh demonstration of PLATO's neat theological definition, that "*Licentiousness* is the god of fools."

From THE TIMES, May 11.

A UNITED MAGISTRACY.

There are numerous combinations to resist or evade our laws, and to defend those who do both. The Liquor interest, in its various ramifications, is thus protected. There are "Liquor Dealers' Associations," and "Lager-beer Dealers' Societies," and "German Anti-Sunday Law Associations," &c. &c. Against such a power

with ample funds unscrupulously employed, what protection have the wronged and over-drugged public? Our Laws? But what if their enforcement is forestalled by able counsel, packed juries, venal courts, or a subservient magistracy? What if policemen have a blind side for unlicensed corner dram-shops? Or, if they are faithful in complaining of offenders, what if a District-Attorney should pile up 30,000 complaints in his office—a monument of official neglect? Or, what if a few convictions are had, an appeal taken, and the argument never should be reached? Or, if a decision is likely to be adverse, what if a little lobbying should secure just legislation enough to put everything at loose ends again? Or, if perfectly explicit statutes are enacted, what if Judicial and Executive officers should be stimulated to quarrel just enough to nullify all efficient action, and let offenders go on in their iniquity?

Now, is it not time that this game of fast and loose should cease? It may not be a very important matter that our City Treasury is robbed of half a million of dollars annually by unlicensed liquor dealers. Possibly, we could stand the burden of taxation for the support of the pauperism caused by intemperance. The pocket is chiefly affected by these matters—though there is a squinting of something else in the impoverishment of some thousands of families; but we will not plead that. When we come, however, to the consideration of the fact,—patent to every Policeman or Police Justice, and to every citizen who reads a police report,—that fully nine-tenths of the crime and vice of the city can be traced to the dram-shop, as certainly as a stream to its source, it seems the veriest folly and trifling to leave unchecked the vast system of liquor-selling, and to deal in petty detail with criminals known to be manufactured by it.

We would not claim that any policy can entirely arrest the curse of intemperance and kindred vices. When all is done that man can do, there will be more than enough of wrong-doing. But we do claim that the determined *purpose* to execute the laws for the prevention of crime—and especially those which restrain and control the sale of intoxicating liquors—would speedily change the moral and social condition of the city, and restore the ascendancy of law and virtue.

In order to this, it is needful that the various Departments of our City Government should be *united* in aim and effort. Political and personal differences should find another arena than the battle-field between the public and its most terrific foe. Magistrates and police officers stand out as the sworn executors of law, and their affiliation with law-breakers, or their neglect to deal with them as the result of timidity, complicity or mutual misunderstanding, would be a betrayal of their trust as indefensible as the treachery of a sentinel before a beleagured city.

The progress recently made in suppressing the Sunday Liquor traffic, and the incipient movements of the Police to close the Sunday Theatres, would indicate a decided advance in the right direction. The public are in the mood to demand thorough work in these reforms, on all days of the week. Any disposition to trifle with public confidence in the matter, either on the part of the Police or the Justices, would be visited by general reprobation. The claim for one day's exemption from rum-selling and theatrical performances, is too just to be disputed; and any class-combinations to defeat that claim, whether German or American, should and will be driven to the wall by a united magistracy, sustained by a united public.

From the JOURNAL OF COMMERCE, May 5.

CAUTION TO LANDLORDS.

The recent "act to preserve the public peace and order on Sunday" imposes heavy penalties on the *owners* of real estate, as well as on the parties directly concerned in Sunday theatricals. "Every *owner* or lessee of any building, part of a build-

ing, ground, garden, or concert-room, or other room or place, who shall lease or let out the same" to be used for the demoralizing purposes forbidden in the act, is declared guilty of a misdemeanor, and, in addition to the legal penalty therefor, is subjected to a fine of \$500, recoverable for the benefit of the House of Refuge.

The well-known prudence of the Board of Managers of the House of Refuge is a sufficient guarantee that this stringent provision will not be used oppressively; but the attitude assumed by the Sunday-theatre lessees of open resistance to the police, and the half-and-half measures of the Police Commissioners, would seem to leave no alternative but to proceed with actions for the civil penalty. The owners of those establishments may save themselves trouble and cost by vacating their leases, in instances where a settled purpose is avowed to defy the laws on the part of their tenants. And, if their rents are somewhat diminished, they may console themselves with the improvement of neighboring property—now depressed by the nuisance of a noisy Sunday resort.

From the same, May 9.

REBELLION ENCOURAGED.

The Sunday papers might find better employment than stimulating German theatre-keepers to violate our laws. If they are sincere in their talk about testing the constitutionality of the recent Sunday Law, it would be quite as well to encourage obedience to it while it is a law, as to counsel its open violation and a subsequent resort to the Courts. Balderdash about the "victory of Sabbatarian bigotry over the rights of man," and "compelling every man to go to church on Sunday, or mulcting him in a penalty for disobedience," is quite unworthy even the Sunday Mercury. It savors of cant to talk of "constitutional liberty" and "compulsory religion," whenever an attempt is made to stop newsboys from yelling in our streets, or to shut up unlicensed dram-shops, or to suppress Sunday theatres and gambling houses. The Mercury knows that the effort of "Sabbatarians" has had simple reference to the restoration of a decent, quiet rest-day; and that public morality demands so much. It also knows that the first men in the community to *resist* to the end, any attempt "to compel any man to go to church on Sunday," would be the very "Sabbatarians" whom it reproaches. Why, then, does it persist in its misrepresentation of facts?

From the same, May 18.

THE SUNDAY LAW.

A large majority of liquor-sellers and restaurant-keepers in this city and Brooklyn, regard the new Sunday Liquor-law and its rigid enforcement with much approval. The more respectable of them have always had some conscientious scruples about keeping open-house on the Sabbath, but in doing so have permitted pecuniary interests to prevail over their inclinations. A seventh day's rest and cessation from business is required by this class of persons equally with all others, and an interval of recreation is no less appreciated by them; but while a portion persisted in selling on the Sabbath, the remainder were compelled to do so or lose their customers. But now that a law strictly enforced compels *all* to close, without exception, no objection of this sort can be raised, no discrimination can be made between houses, and the conscientious restaurant-keeper cannot be accused of refusing accommodation to customers. As has been remarked, this change is received with favor by a large portion of the dealers. Resting from labor, they begin the week with renewed vigor, which is more than an equivalent for the loss of the profits of a Sunday's business. The effect of the law is also seen in the strict order and propriety with which the Sabbath is observed; the temptation to drink is removed;

society is not outraged by rowdyism and street disturbances; and if the question were to be put to a public test, it would doubtless receive the approval of a large majority, including a great proportion of those who do not class themselves as church-goers or strict Sabbath-keepers.

. Comments of the Weekly Press.

From THE OBSERVER, May 3.

CRISIS OF THE SABBATH REFORM. REBELLION OF GERMANS: DUTY OF CITIZENS.

The new Sunday Law has stirred up the elements of selfishness and sin in the metropolis. It strikes at the monstrous system of iniquity which has grown up with European emigration, and extended thence among the more debased of our own population. Its provisions and penalties are such as, if properly enforced, will restore to the whole community the enjoyment of a quiet day of rest, free from the annoyances and the temptations to vice and folly furnished by the Sunday theatre and beer garden. The necessity for such legislation arose from the fact that the previous laws were enacted when the possibility, even, of such enormities was not contemplated by our legislators; so that the caterers for Sunday amusements have to thank themselves that a new and stringent law for the protection of an American Sabbath appears on the Statute Book.

The issue is fairly joined, at last, between the friends and enemies of the *civil* Sabbath,—for no question of its religious obligation or observance is involved. It is a question whether the day of rest secured to every citizen, and to all citizens alike, shall be preserved and perpetuated; or whether it shall be yielded to saloon-keepers, players, theatre-proprietors and pleasure-makers, to be made the sport of selfish indulgence, and the gala day of ungodliness. There will be, as there have been, innumerable attempts, on the part of the Sunday press and other interested parties, to impose false issues on the public: but the one question is between the moral and immoral—between good and bad citizens—between a Sabbath and no Sabbath.

On this issue there can be no neutrality. American citizens, without regard to party, sect, or section, will range themselves with law and right; and our authorities, Judicial or Executive, we trust, will meet the exigency with firmness, yet with forbearance. A large part of the German population, and a larger part of the Irish, will cooperate with the authorities to secure the proper enforcement of the laws. The enemies of the Sabbath, though violent and determined, are but a handful compared with the body of law-abiding citizens.

During the past week there have been several meetings of German theatre-proprietors, brewers, &c.; and on Saturday an organization was formed to *resist the lines*, and to protect offenders. Funds are to be raised for this purpose by a tax on brewers, inn-keepers, bar-tenders, and all concerned in lager beer interests. It was agreed to defy the law, except the prohibition of dancing and gambling, foregoing also the performances till 4 o'clock on Sunday P. M.—calling this a “compromise.” On the last Sunday, the theatrical and musical performances continued as usual, attended by as large crowds as ever. Every person engaged in these performances *knew* that the law of the land was violated, and that each was liable to arrest for *misdemeanor*, and to a fine of \$500. It remains to be seen whether this bold game will succeed—whether there is sufficient power in a government of law to restrain wholesale iniquity; or whether our Police force and our Judiciary are a costly sham. To doubt the issue would be to doubt whether our Republic was made for citizens, or for lager-beerdom.

Meanwhile, the friends of the civil Sabbath, and of a *civil* Sabbath, must give sufficient attention to this question to understand it; and devote enough of time and influence to it to leave no doubt in the minds of the Police, and the Police Justices, and the Press, as to the depth and sincerity of their convictions in favor of an orderly Sabbath, and of the enforcement of the laws against the Sunday liquor traffic and Sunday theatricals.

From the same, May 10.

GERMAN ATHEISTS AND THEIR SUNDAY PERFORMANCES.

The progress of the Sunday movement is revealing more and more of the iniquity and error of the disorderly classes. The real character of the German Sunday theatres, and the dangerous influence of their proprietors, are coming to be known; and, when known, the necessity for the passage and enforcement of the law against this class of Sunday amusements will be obvious to every decent citizen. One of the most influential of these proprietors has made a public avowal of his *atheism*—at the same time adopting the *ruse* of giving his Sunday performances under the guise of a “*Shaker Congregation!*” Comedies, farces, boisterous music, drinking, and all sorts of revelry, are interspersed with atheistic harangues, and denunciations of the Bible, the clergy, the laws of the State, and the authorities of the city.

Without counselling the molestation of such blasphemers on account of their words, we may say that it is due to the majesty of law that their unlawful acts should be restrained and punished. If German atheists have no better manners or morals than to foist upon us their scandalous Sunday sports, in contempt of law and custom and public sentiment, it is high time they learned that American freedom and unrestrained license are quite different and incompatible.

We rejoice to know that there is a large and an increasing class among the Germans who are disgusted with such proceedings, and who are giving their influence in favor of a proper observance of the Lord's day.

From THE EVANGELIST, May 12.

RESISTANCE TO THE SUNDAY LAW.

The defeat of the anti-Sunday movement in the Pennsylvania Legislature, and the passage of the Sunday Amusement Bill in the Legislature of New York, are evident signs of an improved state of public sentiment on the Sabbath question. It is plain that the respectable portion of our citizens were never less disposed than now to yield to the demands of the immoral classes for the abandonment of our time-honored customs as to Sabbath observance. Whatever may have been the case formerly, we are convinced that there are but few of the tax-payers of this city who are not now fully convinced of the intimate and inseparable connection between a holiday, beer-garden Sunday, and every kind of vice and crime, and that the toleration of the former involves an immense expenditure of money to suppress the latter. It was this conviction in part that led to the enactment of a law by the last Legislature, which would place greater barriers in the way of selfishness and sin on the day that furnishes the leisure for dissipation and folly, and which, consequently, becomes a day of special temptation to the laboring classes.

As was to be expected, the proprietors of lager beer saloons and Sunday theatres are preparing to resist the enforcement of the new law in every possible way. The beer sellers have already formed two associations for the avowed purpose of testing the validity of the act which requires them to close their saloons on the Sabbath, and to resist the efforts of the police in bringing offenders to speedy punishment. A tax of ten cents has been levied on each barrel of lager sold, and the fund thus raised is to be expended in feeing lawyers to defend those who violate the State enactment.

But the height of brazen-faced impudence has been reached only by the proprietors of Sunday theatres. Their last dodge is a shameful and impious pretence to establish a new religious sect, and on the plea of religious liberty they claim the right to hold such exercises as they may see fit. One of these proprietors has published a programme in the German papers of the exercises to take place in his theatre on the Sabbath, and announces that he has founded “a new German church, which has for its object the sanctification of the Sabbath, the instruction of the people, and the improvement of criminals in this happy land!” “If,” says he, “I give moral representations on Sunday, decent and instructive, I am a preacher, and my actors are orators; no church is anything but a different kind of theatre!”

This wretched creature avows himself an atheist, and denounces the Bible, the ministry, and everything sacred. And these atheistic ravings, says one of our daily papers, "were listened to and applauded by nearly a thousand half-drunken Germans in a Sunday theatre, in the interval of comedies performed in open, avowed defiance of a law of the State, passed within a fortnight."

The issue is thus fairly joined. There is no way for good citizens to escape the responsibility of settling the question. These lawless strangers must be taught to respect our institutions and obey our laws; that they cannot resist and defy them with impunity. We are glad to see that the new Police Commissioners, with their enlarged powers, have entered so promptly on the enforcement of the Sunday Liquor and the Sunday Amusement Laws. In their efforts to enforce the law, they may count on the hearty support of every good citizen, and we believe of every tax-payer, whatever be his party or his political creed.

But why the order to arrest offenders is varied in the case of those who violate the Sunday Theatre Law, is not quite clear. Actors, proprietors, and all concerned in the performances, are guilty of a misdemeanor, and are liable therefore, to arrest without a warrant. A complaint on Monday may be a convenient way of *not* enforcing the law: an arrest on Sunday would effectually carry out its intent. Why should there be a discrimination?

Surely the attitude of defiance assumed by the Sunday theatre proprietors does not entitle them to any special grace on the part of the Police authorities. And the fact that they are wholesale offenders, tempting thousands of people every Sunday to illegal acts, should induce the Police to make thorough work in their dealing with these influential outlaws.

Our Police Justices and Criminal Judges have now the opportunity to impress the lawless classes with a salutary lesson, that even-handed justice will be meted out to offenders, whether their name be legion, and their combination never so powerful in ill-gained wealth, or whether they are brought singly before them.

And let them bear in mind, that the public are not in a mood to be trifled with, in a matter involving the peace and order of a great city. After a distinct and avowed determination is expressed, and that by the most dangerous class of foreigners among us, to trample our laws under their feet, nothing less will satisfy the public than vigilance and fidelity, on the part of those whose duty it is to restrain and punish the lawless.

From THE INTELLIGENCER, May 3.

THE AMERICAN SABBATH PROTECTED.

Among the numerous acts of the Legislature—good, bad, and indifferent—the Sunday Amusement Bill is accepted as a measure of unquestionable benefit to our city. It strikes at the root of a system of evil-doing more monstrous than exists in any capital of the Old World. It is a matter of amazement, indeed, that a civilized community should have tolerated so long the shameless wrong of Sunday theatricals, with their accompanying immoralities. And now that a law is enacted, guarded but stringent in its provisions, it will be a disgrace to our city and its authorities, if the cormorants of the beer-garden are allowed to defy or defeat its enforcement, according to their avowed purpose.

It is certainly as much as can be claimed of the order loving public, that they should tolerate the unlicensed, and often immoral performances of the lager-beer theatres six days of the week. When they go further, and make the Sabbath their carnival and harvest day, they outrage every conviction of right and propriety of the community; and the attempt to do this in open violation of a law they did all in their power to defeat, is a gross insult to the country of their adoption, which every good citizen will resent and resist to the bitter end.

The movements of the brewers and proprietors of theatres are narrowly watched by the police and the public. They evidently intend to brave everything, with the hope of frightening our authorities from the execution of the law. Last Sunday most of the large theatres continued their performances as usual. One of them added to the programme an oration by the proprietor, in which he avowed himself to be an atheist, denouncing the Bible and the ministry, and everything sacred.

The time has come to settle the question once for all, whether emigrants to our shores are to respect our institutions, and obey our laws; or whether atheistic refugees from Europe are to trample with impunity on both. Our magistracy owe it to their own dignity, and to the community they are bound to protect, to move forward to the speedy solution of this problem. They may count on the support of

every tax-payer, and of every good citizen of whatever party or creed. And if there be those among us who cannot content themselves in a land where the Sabbath is protected from the invasion of the godless and the profane, let them go back to the lands where their Sunday license has cost them their civil and religious freedom.

From the same, May 10.

BEER-GARDEN FROTH.

One ceases to wonder at the failure of the Red Republican Germans in their outbreak of '48, when acquainted with their tactics in assailing the laws and institutions of their adopted country. Their frothy manifestoes, their ignorance alike of their own strength and of the strength of their antagonists, their want of familiarity with principles of government established here for generations, their incapacity for effective organization, would argue little less than failure in political or social combinations.

The efforts of the Sunday-theatre gentry to resist the execution of the recent act to suppress demoralizing amusements, are just formidable enough to reveal their *animus*—not vigorous enough, we should suppose, to do aught than to stimulate our authorities to vigorous action. Their meetings are thinly attended, that on Saturday by only twenty. And, with the exception of a tariff on the sale of lager beer on Sunday—amounting, it is said, to about \$500 a week—money is slowly raised for purposes of rebellion.

Our belief is that the magistracy of the city, sustained by the press and a nearly unanimous public sentiment, will make short work of this impudent attempt of German atheists and infidels to override the laws of God and man, for the sake of a monopoly of Sunday folly. Surely, the power that has mastered some 5000 liquor shops will not quail before a score or two of theatre keepers.

From THE EXAMINER, May 12.

A QUIET NEW YORK SUNDAY.

The change in the aspect of the city Sabbath is very grateful. With the exception of Jewish clothing stores, and drug and cigar shops, business of all kinds is now suspended. The dram shops were almost universally closed. The only considerable remaining nuisance is the Sunday Theatres and Beer Saloons among the Germans. The proprietors of these establishments have adopted the desperate policy of openly resisting the law, and have formed an association for mutual protection in its violation. They have thus made an issue involving the most serious consequences; for if they may resist the act just passed, to "preserve the public peace and order on Sunday," they may resist any and all laws that conflict with their pleasures or supposed interests, and we have anarchy at once. There can be no alternative but the prompt and energetic suppression of this spirit of lawlessness, too long unrebuked. The Police and the Courts can surely rely on the support of the orderly community in dealing with the handful of Atheists who contemn our laws, and put at defiance our authorities.

Comments of the Sunday Press.

From THE SUNDAY MERCURY, April 29.

THE SUNDAY-LAW TYRANNY.

If liberty-loving men and women submit to the new outrage perpetrated upon them in the Sunday law just enacted, they will submit to anything. If they sit quietly down and see an authority usurped to bind their *consciences and their opinions*, they have only got what they deserve; for they do not merit independence. The Legislature has no constitutional right to proclaim a statutory Sabbath. It has no power given it in the instrument of its creation to ordain a holy day in the week, and make it a penal offence not to keep it. It committed an act of high-handed tyranny well worthy of the morally rotten and corrupt assemblage of political prostitutes that made money by such performances. But a law framed by creatures so vile, and a law so violative of every man's inalienable and guaranteed rights, is null and void of itself. No citizen owes it obedience. He who yields to its arbitrary dictates is guilty himself of a solemn fraud upon the public; for he countenances by his concession the infamous oppression of which it is the representative.

We appeal, on this occasion, "from Philip drunk to Philip sober." We appeal from the people's false-hearted representatives at Albany, who were intoxicated with an insane desire to grow rich, by selling at a great price their worthless souls to greedy speculators, to the people themselves. Let them decide. They are no longer bigoted or priest-ridden. They have grown large-minded and liberal. They will sustain no such law of Puritan sectarianism. They will repudiate it as they have the Maine Liquor Law. They trampled the latter under their feet, and they will do this. The Maine Law still remains unobliterated upon our statute books. But it is unenforced. It cannot be carried out. The honest sense of justice in the public mind will not permit it. Neither will it permit the enforcement of this new Sunday Law; for this is a still more direct infringement of human rights. The former aimed only at our independence of appetite, but *this audaciously aims at our independence of soul and conscience. Resist it, we say! Resist it, like men and freemen!* Bring it to an issue at once. Carry it, by this means, before the highest tribunal of appeal, and crush, at one legal blow, the encroaching iniquity of the Sabbatarians.

From the same, May 6.

TESTING THE NEW SUNDAY LAW.

The Anti-Sabbatarians are gathering their strength for a grand trial of strength before the proper courts on the constitutionality of the Sunday Law. We are sorry that our own countrymen do not move more energetically in an affair which so nearly concerns the rights of conscience guaranteed to them by the great Magna Charter of their liberties. We are sorry that they leave the brunt of this important battle for independence to our German adopted citizens, instead of moving in it themselves; for, however little they may feel affected at present, they may be sure that their time will come. The Sabbatarians will never rest with one victory of bigotry over the rights of men. They have openly boasted that they intend to make the civil power subservient to the Church; and they will do it, if not stopped. They have now secured a law to prohibit all amusements on the first day of the week. *They will soon propose one to compel every man to go to church on that day, or mulct him in a penalty for his disobedience!*

The Germans are taking the right course in this dilemma. They see to what this kind of legislation leads. They refuse to obey the new law, suffer themselves to be arrested, and then prepare to test the constitutional question. The *Demokrat* newspaper even objects to the use of the word "Sunday" in announcements of concerts as a recognition of the tyrannous Sunday Law. The *Staats Zeitung* rejoices at the opportunity thus given to bring the question to a distinct issue. This is the way to talk; for, if making a certain day of the week a legal Sabbath is not the legislation in regard to an "establishment of religion," forbidden by the Federal Constitution, then are we no judges of the nature of laws or the meaning of language.

Vocabulary of the Sunday No-Sunday Press.

A selection from the characteristic epithets of the Sunday Newspapers, embodying substantially whatever of *argument* has been adduced against the suppression of Sunday Dram-selling, and Theatrical exhibitions, must suffice instead of extended extracts. This vocabulary might be greatly increased. No comment is necessary.

"Aminadab Sleeks," "Brandy-nosed Committee of Public Morals," "Blaspheming Sectarians," "Brutal Fanatics," "Champagne piety and roast-turkey christianity," "Fanatical Sabbatarians," "Fanatics and Fools," "Fourth Commandment wolves and bears," "Hollow-hearted, self-conceited, snuffling moral swindlers," "Metropolitan Board of Popes," "Parvenu Snobs," "Police Inquisitors," "Puritanical Pharisees," "Praise-God-Bare-bones," "Pharisaic wine-bibbing Christians," "Self-satisfied spiritual dictators," "Self-righteous Fanatics," "Self-appointed Sunday Sabbath Committee," "Scribes and Pharisees, Sadducees and Hypocrites," "Snivelling Mawworms," "Sunday-snivellers."

A single sentence, published in a *Sunday Daily*, in immediate connection with the names of the members of the Sabbath Committee, will show in what connections the above epithets have been employed: "*The practice of the Sabbatarians is to give six days to the devil—to lying, and slandering, and cheating, and to nine-tenths of the vices and crimes prohibited by the decalogue; and then to give the seventh day to God, when they are tired of sinning all the week.*"

OUR CENTRAL PARK.

Document No. XIV.

OF

THE NEW YORK SABBATH COMMITTEE.

NEW YORK:
PRINTED BY EDWARD O. JENKINS,
No. 26 FRANKFORT STREET.
1860.



OUR CENTRAL PARK.

As this noble Public Improvement approaches completion, it must be a matter of anxious inquiry with the Commissioners and the thoughtful public: What shall be its influence on the public morals? How shall its paramount objects as a means of health and diversion be accomplished, consistently with the highest moral benefits? Besides the individual interest of the undersigned in this subject, their public relation to a question of some moment involved in the regulations of the Park, now under consideration, would appear to justify the presentation of this paper to your respected Board.

It must be presumed that the Commissioners, in shaping the administration of such a trust, with no American precedent, will adopt their measures with great deliberation, and innovate but little, if at all, on the prevailing moral convictions of the American public. In the art of landscape gardening and kindred matters of taste, we yield the palm to Europe, and we do well to avail ourselves of her older civilization. In political, moral, and religious matters, we have intelligently discarded the views prevailing on the Continent, especially as relates to monarchical institutions, church establishments, and Sunday observance. On all these points, the convictions of our people are fixed; and Europe is more likely to learn from us than we from her. We need the more to discriminate here, inasmuch as a considerable element of our population of European birth may counsel and claim that the founding of a great Park, after the style of the Bois de Boulogne or the Prater, must carry with it the Sunday pastimes of Paris and Vienna: as great an error as to insist that our church architecture, copied from the old world, must draw with it the creed or the ritual of the cathedrals after which it is mod-

eled. We are more likely to take our precedents in this, as in other matters, from the European kingdom whose language and institutions harmonize with our own— and where the introduction into her public and ornamental grounds of the continental Sunday, in all its levity and organized frivolity, has been sturdily resisted—than from France, where the English sport, horse-racing, has been recently borrowed and added to her innumerable sources of Sunday diversion. We form a Park in the principal city of a nation characteristically Christian, and in its whole historic life Sabbath-observing. Its regulations should not ignore this fundamental fact, nor admit of a doubt as to its present and future conduct in harmony with this fact.

It is respectfully suggested—more as a *caveat*, than as implying that any Commissioner entertains differing views—that, while the privileges of the Park, under a vigilant Police, are accorded to the public on the Sabbath, it would be neither competent nor wise for the Commissioners to provide for or sanction the popular diversions common to and appropriate for the secular days of the week; and that the entire Sabbath arrangements should be such as *neither to offend nor corrupt the public conscience*.

Such reasons as the following would seem to enforce this suggestion:—

1. Unless some such principle controls the Sunday arrangements of the Park, no limit can be fixed to the number or variety of popular amusements that will claim a place in the People's Pleasure-Ground. One class may be content with aquatic sports; another may want bands of music; another will demand target shooting; another will only be satisfied with horse-racing; another still would like the prize-ring or the bull-fight. Why withhold from yet another class the gambling-table, the fortune-teller, and the thimble-rigger? All these, and many others, enter into the Sunday amusements of European pleasure-grounds. Where shall the line be drawn, if the bars are once let down?

2. It is the only principle consistent with the spirit and letter of our laws and institutions. It need not be stated that Christianity is a part of the law of the land; nor that the Christian Sabbath is guarded from invasion by the statutes of

nearly all our States, and especially in this State, from the days of Peter Stuyvesant down to the present day. While no specific mode of Sabbath observance is prescribed, and no religious rites imposed, ordinary servile labor and public sports are forbidden, so as to secure to all a day of rest and worship, free from disturbance and temptation to vice. Any system, then, of amusements or refreshments, involving the service of attendants, and inducing to the enjoyment of secular pastimes, would tend to bring contempt on our laws, and afford the warrant of a high example for a general desecration of sacred time. It would throw back indefinitely the Reforms, now successfully in progress, by which crime and pauperism have been greatly checked, and the majesty of law has been measurably restored.

3. Any other principle would be unjust to a very large and influential portion of citizens and tax-payers; while, thus administered, equal rights to all citizens would be secured. To ask that Sunday bands may fill the air of the Ramble with strains of music; that jolly parties may be traversing the Lake in mimic squadrons; or that kindred amusements may monopolize the delightful resorts of the Park on the Lord's Day, is to deny the rights of peaceful, conscientious, Christian citizens, and their families, to the quiet enjoyment of an enclosure they may have paid thousands to create. Is this courteous or just? We think not. The Park was made for all the people, as "the Sabbath was made for man." The one was made for a *Park*—not for a race-course, nor for a camp-meeting—not for Sunday sports, nor for religious services—not for one class, but for all classes, with reasonable regulations, in accordance with our laws and institutions. So of the Sabbath: it was made for a *Sabbath*—not for a day of frivolity and dissipation; it was made to be "kept holy:" and to pervert the Sabbath into a mere holiday, and the Central Park into the arena for holiday sports, besides being a gross departure from American and Christian ideas, would be little less than an outrage on the rights and feelings of the Christian community.

4. The Park, if conducted on the European principle, would inevitably become the source of popular demoralization. Our criminal records show that while the foreign-born population of this city embraces less than one-third of the aggregate population,

the arrests for crime and disorder from among this class have averaged about 83 per cent. for the last three years, leaving but 17 per cent. for the comparatively Sabbath-keeping portion of native-born citizens. Further official statistics show that the arrests for drunkenness and crime, which for a long period were an average of 25 per cent. more on Sunday than on week-days, were so reduced by the partial closing of liquor-shops on the Sabbath as that they averaged nearly 60 per cent. more on week-days than on Sunday for a period of seven consecutive months, with a falling off of total arrests of about 7,000 in a single quarter. These statistics would seem to establish a certain connection between Sunday license and crime. Now, while we would not press these facts unduly as a vindication of the morality of the Sabbath, and would expressly disclaim all purpose to cite them invidiously, and to the disparagement of our immigrant population, which embraces very many orderly and most valuable citizens, their significance cannot be overlooked in discussing the tendency of Sunday regulations for our great Park. If a system is to be advocated, the influence of which shall be to draw men away from their homes and churches, and our juvenile population from Sunday-schools and domestic culture, and to substitute for all these humanizing and elevating moral and educational agencies the contamination of indiscriminate crowds, and the diversions that are suited to obliterate all thought of God,—it is easy to see that it must stimulate the very elements of lawlessness and demoralization already so rife among us. Could a community, that on the Sunday close their Courts of Justice, and suspend the service of civil process, with any consistency assume the prerogative of dispensing, on the public grounds and at the common cost, all facilities and enticements for the discrediting of that same day, in whose honor they bade Justice shut her gates and still her oracles? We would submit that with a view to the preservation of the public property of the Park itself, as well as with reference to infinitely higher claims of public duty, the Commissioners should scrupulously and persistently aim to strengthen those moral and legal restraints which form the only security for free institutions, and to discourage and rebuke the spirit of lawlessness which would evade or defy both human and Divine enactments.

5. The previous considerations, relating solely to the *civil* Sabbath, and to the rights of Christian citizens, and the interests of the community under our constitution and laws, may be expected, perhaps, to claim the assent of the great body of good citizens. There are other and higher views of this question which we would not obtrude, and which we need not withhold—views which no public body can ignore or fail to respect. We allude to the fact that nearly the entire Christian community, Protestant and Catholic, believe the Lord's Day to be a sacred day. They may and do differ as to their theories of this institution. Some trace the obligation for its sacred observance to the Bible—some to church appointment. With these theories public men or bodies have nothing to do; but they have to do with the *fact*. And the right, if it were claimed—as it has not been in this country—to pervert public grounds and public funds to the inauguration and support of a system in direct and open hostility to the most sacred convictions of the religious community, could not be conceded. Christian men are reluctant to urge a question of right like this. They have borne long and patiently with the invasion of usages and rights dear to them as their faith, and essential to the vitality and perpetuity of that faith. But they have rights: they know what they are; and they are not prepared to relinquish them. Among them is the unquestionable claim, that they shall not be robbed of their Sacred day, and that no public regulations shall be made for promoting its desecration, or that will wantonly offend their well-known convictions as to its moral and religious uses and benefits. An infidel press, whose pecuniary interests conspire with its opposition to Christianity to prompt the overthrow of the Sabbath, may laud the Central Park converted into the central source of Sunday profanations, as “the Great Civilizer,” in contrast with, and to the disparagement of, the Christian church and its institutions. The men whose names and money and influence are rarely found in connection with our great humane and eleemosynary enterprises, may boast a superior wisdom and philanthropy in dealing with pauperism, vice, and crime, to the body of Christian citizens who work and give without grudging and without boasting. But we submit, that it is not for the managers of one of the grandest and most beneficent of our public

works to lend either their corporate example or influence in support of such views, nor to grieve the whole of the very class in society whose religion itself is the basis and support of law and good government, and whose influence forms the grand bulwark against the vices and evils which afflict society and threaten to undermine or overthrow our social and political fabric.

Inasmuch, then, as the introduction of a system of Sunday diversions in the Central Park, after the European model, would be a dangerous innovation on the immemorial usages and the ineradicable convictions of our country, and one that it would be difficult to limit or control; as it would contravene the genius of our laws and institutions; as it would be partial and unjust toward a large class of citizens; as it would result in popular demoralization; and as it would offend the convictions and invade the rights of the entire Christian community, it is claimed that the regulations of the Commissioners in this behalf shall be such as *neither to offend nor corrupt the public conscience*. Thus administered—in strict consistency with American and Christian convictions—it will be an untold blessing to the city, and an abiding monument of the liberality and fidelity of its founders and managers.

NORMAN WHITE, *Chairman.*

HENRY J. BAKER,
E. L. BEADLE, M. D.,
NATHAN BISHOP,
WILLIAM A. BOOTH,
ROBERT CARTER,
WARREN CARTER,
THOMAS C. DOREMUS,
E. L. FANCHER,
FRED. G. FOSTER,
DAVID HOADLEY,

HORACE HOLDEN,
JNO. E. PARSONS,
GUSTAV SCHWAB,
WM. A. SMITH,
WILLIAM TRUSLOW,
W. F. VAN WAGENEN,
WILLIAM WALKER.
F. S. WINSTON.
O. E. WOOD,

Sabbath Committee.

JAMES W. BEEKMAN, *Recording Secretary.*

RUSSELL S. COOK, *Corresponding Secretary.*

J. M. MORRISON, (Cashier of Manhattan Bank,) *Treasurer.*



THE CIVIL SABBATH RESTORED.

1. Suppression of Sunday Theatres.
 2. Restraint of the Sunday Liquor Traffic.
 3. Our Central Park.
 4. Mission Among the Germans.
 5. Aid of the Newspaper Press.
 6. The Sabbath in Other Cities and States.
 7. Concluding Suggestions.
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APPENDIX.

MEETING AT IRVING HALL.—Addresses of Messrs. White, Cook, Beekman, the Rev. Mr. Ganse, and the Rev. Dr. Hitchcock, and the Letter of the Rev. Dr. Spring.

Presentment of Liquor Dealers' Association; for Conspiracy: Judge Hoffman's Opinion: Constitution of German Shaker Congregation.

DOCUMENT No. XV.

OF

THE NEW YORK SABBATH COMMITTEE.

THE CIVIL SABBATH RESTORED.

THE outward observance of the Christian Sabbath is believed to be more general in the city than at any previous period of its recent history. The more offensive forms of desecration have been suppressed. Laws for the preservation of the public peace and the restraint of temptation to vice on the day of rest are well enforced. And the public sentiment in favor of a quiet, orderly Sabbath is more unanimous and intelligent than has been manifested within a generation. Brief as has been the period within which so large a community has passed from a Sunday characterized by traffic, noise, drunkenness, and vice, to a Sabbath marked by refreshing stillness and general sobriety; and rapid as has been the change from the general disregard of Sunday laws as obsolete, to their vigorous enforcement and to the enactment and execution of new laws, it is a matter of special gratification that the reform has advanced to its present stage without the least reaction, notwithstanding the persistent opposition and misrepresentation of interested parties. We would gratefully ascribe these results to the gracious Providence by whose guidance and blessing this good work has been achieved; and implicitly trust that Providence for the future of the Sabbath reform.

Suppression of Sunday Theatres.

The most prominent of the reforms attempted by the committee during the past year, has been the suppression of the Sunday theatres; and the issues involved in this undertaking have been sufficiently important to warrant a somewhat detailed record of its progress and results.

Perhaps no single circumstance illustrates the perilous lapse of Sabbath sentiment, from which we are happily delivered, than the fact that a score of Sunday theatres should have existed—some of them for many years—attended by thousands of our irreligious population, without the knowledge of Christian citizens, and without remonstrance or restraint on the part of our public authorities. Assuming the guise of “sacred concerts,” and mostly located in what has become the “foreign quarter” of the city, they had attained a gigantic growth before their character and influence arrested public attention. Then it was found that they concentrated the multiform appliances of debasing pleasure—comedies, farces, obscene songs, dances, gambling, drinking, and nameless vices and temptations to vice—all in special activity on the Sabbath day.

Indeed, the receipts of Sunday were depended upon to make good the losses of the week, and to afford sufficient profits to sustain large, expensive, and otherwise profitless establishments. Nor were these concerns confined to the foreign population, or the "foreign quarter" of the city. The bad example found worse imitators among our own depraved citizens. "Concert-rooms" and "saloons" began to multiply in various thoroughfares. Broadway glittered with transparencies, proclaiming the transparent falsehood that "sacred concerts" would be given on Sunday nights:—such "concerts," with such accompaniments, as would not be tolerated on any day in the corruptest capitols of Europe;—"sacred" to Bacchus and Venus! One of the principal features of this American adaptation of the Sunday theatre system, as advertised and practiced, was the introduction of scores of abandoned female attendants on the juvenile thieves and other youthful guests comprising the bulk of patrons of these infamous dens.

The committee's document on "*Sunday theatres, sacred concerts, and beer gardens*," (No. 11,) was intended to expose this system of evil, and to concentrate upon it a righteous public sentiment that should render its continuance impossible. It was obvious that no consistent progress could be made in regaining popular respect for the Sabbath, so long as a worse than Parisian desecration of it obtruded itself upon our principal thoroughfares, and in the advertising columns of our widely circulated journals. But it was found that our laws, enacted before such a system had a being in this country, provided no adequate specific remedy; and that the penalties for offenses of this class were too inconsiderable to restrain men whose selfishness mocked at human and divine laws.

The attention of the Legislature having been directed to this state of things, a law was passed, April 17, 1860," to "Preserve the public peace and order on the first day of the week, commonly called Sunday,"—the first Sunday act in this State, it is believed, since that of 1813,—forbidding public theatrical exhibitions, and kindred entertainments on that day, under a penalty of \$500, to be sued for and recovered by the Society for the Reformation of Juvenile Delinquents; besides the penalty provided by law for a misdemeanor. Performances on Sunday also vacate any license for theatrical exhibitions on other days.

The passage of this law was strenuously resisted by the proprietors of Sunday theatres, brewers of lager, and a portion of the German population. An association was formed to defeat its enactment, or to resist its enforcement. Funds were raised by initiation fees for membership, and by a tax on each barrel of beer sold. Expensive delegations were sent to the Legislature, and petitions were circulated for the "Repeal of the Sunday laws as unconstitutional, inasmuch as they deprive citizens of their civil and religious liberties;" and remonstrating

against the passage of the then pending act. When their petition and remonstrance reached Albany, its signatures had been transferred, in part, to a memorial to the Governor, purporting to come from "citizens of the city of New York;" and of the 317 names, 306 could not be found in the Directory, and the remaining 11 were "saloon" keepers and grocers! The petitions for the law were signed by about 1,400 Germans—mostly of the Directory class. The Sunday newspapers, German and English, gave their influence to defeat the passage of this act, and some of them counselled forcible resistance to its execution. One of them declares, that "a law framed by creatures so vile, and a law so violative of every man's inalienable and guaranteed rights, is null and void of itself. No citizen owes it obedience. Resist it, we say! Resist it like men and freemen!" And factious counsels of this character were eagerly copied into the German journals.

They did "Resist it," one and all, with the avowed purpose and expectation of overriding our authorities, and by the force of numbers and money rendering the statute inoperative. Theatrical performances continued as before—with superadded flings at the laws and institutions of the country, and the utterance of seditious, atheistical, and blasphemous sentiments from the stage. The reporters of the press were hung in effigy, and the police authorities were reviled in advertisements and plays. The spirit of rebellion was too rampant for its own ends, and exhausted itself by its own violence.

One of the most prominent German theatre proprietors resorted to the expedient of announcing his Sunday theatre as a "Shaker congregation," and his comedies and farces as part of their "religious worship!" And this shallow device was gravely set up in his defence on a civil suit, and was soberly urged before a jury on a criminal trial. The "constitution" of this Shaker congregation is given in the appendix as a part of the history of this contest.

Enforcement of the Laws.

When it became obvious that the law was to be persistently defied, the serious issue was accepted with pain, but without misgiving as to the result. Step by step, the various remedies provided have been applied, with uniform success, as a brief sketch of the proceedings will show.

Besides the numerous arrests made by the police, and the subsequent indictments by the grand jury for misdemeanor, the Board of the Juvenile Delinquent Asylum, charged with the civil prosecutions under the law,—as they have been with the prosecutions against illegal theatrical performances for twenty years,—directed their counsel to enforce its provisions against some of the more notorious offenders. Injunction orders were issued from the Supreme Court, either to restrain Sun-

day performances, or performances without license, or to vacate licenses already obtained, which were forfeited by violation of the law. In two instances the parties were attached for contempt of court, and fined respectively \$200 and \$250. It was on the hearing of one of these cases before Judge Bonney, that Mr. Cram, the high-minded counsel, indignant at the trickery and lawlessness of the prisoner, made the emphatic declaration, on which he has since acted with great moderation, firmness, and energy: "This man, and the men of his class, *shall obey the laws. If I do nothing else the rest of my life, these men shall obey the laws of this land.*" As the result of this trial, and of other legal measures rendered necessary by the contumacy of the offenders, one of the most dangerous and troublesome of our German beer garden gentry, previously bankrupt in fortune and character, transferred his establishment to other hands, and has sought another field for his enterprise. In the other case, an appeal was taken to the General Term of the Supreme Court, where the decision of Judge Bonney in chambers was affirmed.

Other suits against the same and other proprietors of German theatres are still pending. In the case of the *Stadt theatre*, the question of the *constitutionality* of the law came up for argument on demurrer, before Justice Hoffman, of the Superior Court; and after a full hearing, an elaborate affirmative decision of the Judge was rendered. [See *Appendix* for abstract of opinion.] The Judges of the Supreme and Superior Courts and of the Court of Oyer and Terminer have severally confirmed the constitutionality of the law. It may be presumed that the Court of last resort will decide the question in accordance with the uniform legislation and jurisprudence of the State from its foundation.

Proceedings were also commenced against the various concert halls on Broadway and elsewhere, which were enjoined from theatrical exhibitions without license, and to collect the penalty for Sunday performances. Some of them paid for licenses, and abandoned their exhibitions; others closed their places altogether. None of them have since given Sunday performances.

The trial of the indictments, before the criminal courts, was delayed on various pretexts from term to term, until the November term of the Court of Oyer and Terminer, Judge Gould presiding, when Gustav Lindenmuller was arraigned. His defense, conducted by able counsel, consisted of the "Shaker-congregation" plea. The prosecution was conducted by Mr. Anthon, assistant District Attorney. The charge of Judge Gould was a manly rebuke of lawlessness. The jury, after an absence of twenty-four hours,—a single German juror standing out against a verdict,—convicted the prisoner, and the Court imposed a fine of \$250. An appeal was taken, on the ground of the unconstitutionality of the law, to the Supreme Court. Until this test case is finally

adjudicated, it is supposed the other trials will be postponed, to abide the result.

Meanwhile, the Metropolitan Police have made arrests of several companies of actors, who occupied small halls, and attempted unlawful exhibitions: the energetic Superintendent avowing his purpose to deal thus summarily in all similar cases.

The result of these various measures has been the entire cessation of Sunday theatricals in this city, the abandonment of a considerable number of the largest and vilest places of popular debasement, and the subjection to law of all the theatres in the city, with the general approval of citizens, and with untold advantage to public morals. The incidental pecuniary loss to the proprietors—one of whom estimates his share at \$4,000 in six months—is a timely gain to the poor people from whom their earnings would otherwise have been filched. And the improvement in health, thrift, and self-respect of the thousands who formerly sacrificed their manhood, and often their souls, at these altars of pleasure and vice, may be regarded as more than a compensation for the individual losses of a few lawless saloon-keepers.

Notice has been given in both branches of the Legislature of bills for the repeal of the law thus beneficent in its operation. But, inasmuch as none but interested parties demand it, and the united sentiment of good citizens sustains the statute, little apprehension of success is entertained. Certain it is that no law was ever passed more accordant with the principles and wishes of the law-abiding classes, and none was ever executed more efficiently, under the peculiar circumstances, or with more manifest acceptance and benefit.

Before passing from this topic, it should be stated that some establishments, formerly conducted as theatres, still continue a modified profanation of the Sabbath, by musical entertainments, beer-selling, and various sports; and some of them still attract crowds. But, the growing respect for law and public sentiment among the Germans, and the increasing energy and vigilance of the police and the courts, with waning profits of Sunday immoralities, may be hoped to bring this whole system to an end, without further legislative restraint.

Restraint of the Sunday Liquor Traffic.

THE reorganization of the Board of Commissioners of the Metropolitan Police, and the changes made in the office of General Superintendent, caused a somewhat irregular enforcement of the Sunday Liquor law during the year. Under all the circumstances, there is much ground for encouragement in the attitude of the Police authorities, in the aspects of the reform, and in the results already achieved. The annual Report of the Commissioners to the Legislature and the annual Message

of the Governor of the State concur in their recognition of the beneficent influence of this movement, and in commending the efficiency of the Police force in carrying it forward. But the most eloquent tribute alike to the law and its agents, and to the Institution whose morality is thus vindicated, is furnished by the statistical records of the Police Department.

From the summary of daily returns of arrests for drunkenness, disorder and crime—for which we would acknowledge our indebtedness to the courtesy of General Superintendent Kennedy, and the painstaking politeness of Chief-Clerk Hawley—we are enabled to present the following comparative statement of Sunday and week-day crime, embracing a period of eighteen months. It appears that between August 1, 1859—the date of Gen. Pilsbury's order closing the Sunday liquor shops—and February 1, 1861, the whole number of arrests on Tuesdays and Sundays was as follows :

Arrests by Police in 18 months :

On Tuesdays	15,503
On Sundays	10,483
	<hr style="width: 10%; margin-left: auto; margin-right: 0;"/>
Excess on Tuesdays	5,020

The excess of Tuesday arrests is equal to *fifty per cent.*

Under the old regime, but after the establishment of the Metropolitan Police, *the ratio of arrests on Sunday was twenty-five per cent. greater than on Tuesday*, during a similar period of eighteen months. Had that ratio been maintained—as it would have been but for the suppression of the Sunday liquor traffic—the statistics of

Arrests for the last 18 months WOULD HAVE BEEN :

On Sundays	19,379
Actual arrests on Sundays	10,483
	<hr style="width: 10%; margin-left: auto; margin-right: 0;"/>
Total relative decrease of Sunday crime	8,896

The arrests for violations of Sunday laws, 473 in all, are excluded from these statistics, that the comparison may be just and accurate.

We would not exaggerate the value of these statements. We are aware of the imperfection of such data. But, extending as they do over a considerable period, embracing adequate elements of comparison, furnished on request from official records, and affording the only known means of ascertaining the practical results of an important reformatory movement, they would seem to demonstrate beyond cavil the inseparable connection between Sunday liquor-selling and crime, and to vindicate

cate the wisdom and necessity of the utter suppression of that demoralizing traffic.

A careful examination of the weekly details which form the aggregate returns cited above, in connection with the movements of the Police authorities, shows a rising or falling scale of crime and disorder, as regular and certain as the response of the thermometer to varying degrees of temperature. Thus, the Sunday arrests have declined to 61 after a few weeks of earnest attention to this matter ; and have again risen to 216, when comparative neglect gave impunity to selfish lawlessness.

The vigorous action inaugurated by General Superintendent Kennedy, two months since, in ordering the summary arrest and confinement in the station-houses of open offenders, had an immediate influence on the Sunday traffic and its results. Many dealers who counted on the tolerance of their unlawful business, or on protection from punishment by the intervention of the Liquor Dealers' Association, or the venality of courts, succumbed in view of the direct and summary policy of the Superintendent. As a consequence, the arrests for drunkenness and crime for the last two months have been far less than the average for the last eighteen months.

We have the highest legal authority for the opinion that the powers entrusted to the Police, both by statutory and common-law, extend far beyond the limit of their present exercise. Leaving out of view, as beyond our province, the competency of the Police authorities to close every unlicensed dram-shop,—and some 7,000 are unlicensed and so unlawful,—it is their unquestioned right and duty to prevent ingress and egress for Sunday tipplers at any and all places where intoxicating drinks are habitually sold. Whether it be by front doors or back doors, if the public enter and depart on the single bad errand, the police may enter and make arrests, or they may cause the doors to be shut and kept shut. The attitude of lawlessness on the part of unlicensed dram-sellers, and the apparent subjection of a portion of our Judicial officers to their interests, warrants and requires the fullest exercise of legal powers by the Police for the restraint or punishment of the notorious authors of a principal part of the crime, disorder and pauperism of the city.

It is not easy to reconcile the course of the Law Officers of the city in relation to this class of offenders with the duties assigned to them by the Statute, and the interests entrusted to them by the people. It certainly forms no part of the design of our criminal code that innumerable complaints against a class of offenders whose daily avocation is the palpable cause of nine-tenths of the crimes cognisant to our courts, should be ignored, deferred, and never adjudicated, and justice only have to do with the victims of an avowedly unlawful business :

yet, such is its practical administration. Nearly two years ago, convictions were had in the court of Common Pleas against twelve offenders of the Sunday Liquor law. The parties appealed on frivolous grounds; and the final ruling of the higher courts was to govern tens of thousands of similar complaints. The status of an immense traffic, pursued by thousands of our citizens, and important rights of the people were to be determined by the issue. Repeated demands have been made by the press for the argument and decision of the questions in dispute. But, for aught that appears, the case remains where it was in June, 1859—unargued and undecided! The counsel of the Liquor Dealers' Association remains content with his \$5,000 a year; and the Officers of Justice charged with this matter expose themselves to grave suspicions as to their fidelity to public interests.

We cite in the *Appendix* a highly suggestive Presentment of the Grand Jury, bearing on this matter.

An incidental effect of the agitation of the Sunday Liquor question, and the enforcement of the law against Sunday dram-selling, has been the somewhat increased efficiency of the Board of Excise. Instead of extending the sixty days of their sessions over the entire year, as formerly, they were held consecutively, and public notice given that on the expiration of the time no farther licenses could be procured within the year, and that all unlicensed dealers would be prosecuted. Notwithstanding the resistance of the Liquor Dealers' Associations, the number of applications for license increased from 332 in 1859 to about 1,400 in 1860; and not far from \$40,000 were paid into the city treasury on this account—10 p. c. of which sum has been paid over to the treasurer of the Inebriate's Asylum. How far the just claim of parties who have thus obeyed the law—that they shall be protected from unlawful competition—has been heeded by our authorities, we are not informed. The liability, however, of the vigorous enforcement of the Law against Intemperance of 1857, has led to an application to the present Legislature for its modification or repeal.

Two important decisions have been made in the Court of Appeals—one within the year—both of which have an incidental bearing on the Sunday traffic. In the case of Behan, Plaintiff in Error, *vs.* the People, it was decided that offenses against the Excise Law of 1857 are punishable as *misdemeanors*: so that the Sunday sales, by parties licensed or unlicensed, may be dealt with as a criminal offense, and arrests may be made without warrant.

In the case of the Excise Commissioners of Tompkins county against Taylor & McWhorter, the Court decided that Ale and Beer come within the provisions of chap. 628 of 1857, to suppress intemperance: "any liquor being within the Statute, of which the human stomach can contain enough to produce intoxication." Under this decision the sale

of Lager-beer is virtually placed on the same footing with other liquors; and the shameful Sunday traffic in that beverage may and should be suppressed.

Sunday Gambling.

The General Superintendent of Police has entered on vigorous measures to put an end to the various forms of Sunday gambling which have disgraced the city. Under his personal direction, numerous arrests have been made, and parties engaged in the evil practice have been fined by the magistrates. It is to be hoped that this measure will be persevered in, until this form of immorality shall be exterminated.

Our Central Park.

As this favorite public pleasure-ground became available for its important uses, the question of its Sunday regulations became a matter of practical interest. It was seen by good citizens, and by property-holders in its neighborhood, that if perverted into an arena for holiday-sports on that day, after the manner of Continental Parks, the injury to public morals would more than counterbalance its sanitary benefits, and that millions of money would have been expended for the farther demoralization of the masses. The Committee gave expression to what they believed to be timely and temperate views as to the principles that should control the Sunday arrangements of the Central Park, in a communication addressed to the respected Commissioners. Confessedly difficult as were the questions discussed, it is a matter of satisfaction to know that the Press and the public—with exceptions confined to anti-Sunday interests—accepted and concurred in the sentiments thus set forth; and a majority at least of the Commissioners are understood to cherish and act upon substantially similar views. It is earnestly to be hoped that the beginnings of invasion of the well-established laws and usages of this country as to Sabbath occupations, will be resisted within the beautiful enclosure intended to illustrate the civilization, refinement, and wealth of this metropolis of a christian land.

The Harlem Sunday Railway Trains.

It was with regret that a departure was noticed from the general policy of the Harlem Railroad Company, in the multiplication of Locomotive trains on Sunday, for the accommodation of Central Park travel. At one time not far from eighty trains a day were run, back and forth, giving employment to scores of men and horses, and causing an incessant din and disturbance at the termini, or along the route of communication. It was gratifying to learn that when the matter came under the consideration of the respected Directors, the arrange-

ments were countermanded and the annoyance for the most part ceased.

Mission among the Germans.

The control of the German popular Press being exclusively in the hands of the foes of the Sabbath, almost the only mode of access to the people of that nationality has been through the agency of a missionary, by whose visits from house to house with the distribution of German documents and tracts, prejudices might be removed and truth be disseminated. Such labors have been continued during the year. At the same time, it was necessary to be informed of the doings at the theatres and gardens, and to have timely intelligence of the action of German anti-Sunday gatherings and associations for opposing or resisting the laws. The most formidable conspiracies are rendered powerless by the exposure of their objects and plans.

The monthly reports from the German quarter indicate a growing feeling of self-respect, and a rising sympathy with the prevailing sentiment in this country regarding the Sabbath. There is a recoil from the excesses of the beer-garden gentry. Honest minded Germans denounce the hypocrisy of their countrymen who resort to the blind of "Sacred Concerts" and "Shaker Congregations" as a cover for Sunday amusements; so that the heartiest rejoicings over the suppression of this scandalous system come from respectable Germans themselves. Nor are the occurrences which have embarrassed so many of the mechanical and laboring classes likely to lessen their content with the operation of laws by which temptations to wastefulness and vice have been removed, and thousands of dollars of their hard earnings have been saved to themselves and their families, instead of swelling the receipts of atheistical Sabbath-breakers.

Sabbath Documents.

There have been printed during the year nineteen thousand copies of Documents, embracing 344,000 octavo pages, viz: of German Doc. No. 9—24 pages, "Proceedings of Cooper Institute Meeting of Germans," 4,000 copies; of No. 12—24 pages, "Progress of the Sabbath Reform," 5,000; of No. 13—24 pages, "The Press of New York on the Law against Sunday Theatres," 3,000; of No. 14—8 pages, "Our Central Park," 3,000; of "German Beer-Gardens and Sunday Theatres," 4 pages—2,000; and of "Sunday Vice and Crime," 4 pages—1,000 copies. Of various minor publications, 2,600 copies have been printed.

Besides the circulation of these documents among clergymen, editors, and citizens, English and German, several hundred copies of the Committee's German Documents have been distributed in Germany.

Aid of the Newspaper Press.

Not a little of the popular sympathy with the Sabbath reform is due to the firm and moderate tone of the daily journals on all the issues that have been presented. With all their differences on other questions of public concern, they have shown a united front against the immoralities with which the committee are contending; and have uniformly supported our public authorities, executive or judicial, in enforcing the Sunday laws. The exception in a single instance is more creditable to the Sabbath enterprise than to the journal whose interests conflict with public morals; and it is alluded to more for the sake of accurate discrimination than on account of any hinderance effected by its selfish and factious policy. It has only harmed itself and those of its readers who believe its falsehoods.

The Sunday Press has lent unwitting aid by its palpable misrepresentations; by its extravagant abuse of well-known citizens; and by its laudation and defence of convicted criminals and of unblushing immoralities. The habitual tone of exaggeration and caricature in all discussions of the Sunday question, renders the Sunday Press powerless as the enemy of wise and necessary measures for the protection of the civil Sabbath.

The German newspapers deal with this question in a more cautious manner, as the evidences increase of the existence of a powerful body of their readers whose sympathies are with the Sabbath and the laws, rather than with beer-gardens and theatres; and as the just and moderate claims of the country of their adoption come to be understood. Their utter failure in the attempt to drag this question into the political arena also tended to moderate their zeal. But they still lend themselves to the advocacy of Sunday views and practices as foreign as their language from American usages and convictions; and they thus constitute a power dangerous enough to be watched and counteracted.

Notwithstanding the engrossment of the public press with political questions during a considerable part of the year, the aggregate number of copies of newspapers containing friendly articles bearing more or less immediately on the Sunday question printed during the year—chiefly the editorials of secular journals—has exceeded twenty-two millions, [22,855,500.] Added to the discussions of the two previous years, it would make sixty-two millions of (62,119,000) copies of newspaper articles friendly to the Sabbath, in the columns of the New York Press.

Visit of the Great Eastern.

Some apprehension was felt lest the visit to our country last summer of this marine wonder should be made the occasion of wholesale Sabbath desecration. Her launch, trial-trip and sailing day all having occurred on Sunday, her officers and consignees were plied by the anti-Sabbath Press of this city to exhibit her to the public on that day. But better counsels prevailed. Divine worship was held on board on each Sunday during her visit, and her excursions were arranged so as to avoid the needless profanation of sacred hours.

An impudent attempt was made in September to invade the quiet of the Sabbath—one Peter Bogart announcing his purpose to run a boat

around Manhattan island on a wager of \$50. The press protested, the police interfered, and the effort was abandoned.

An item may be cited as significant of the growing respect for the Sabbath in commercial circles. The custom having gradually declined of hoisting ship's colors on Sundays and holidays, at a meeting of the Chamber of Commerce in July, it was

“*Resolved*, That the Chamber of Commerce recommend, that masters of vessels in the port of New York hoist their flags on Sundays and holidays, as a mark of respect to the day and to the nation.”

Meeting for the Sabbath at Saratoga.

A public meeting of considerable interest was held at Saratoga in the month of August. Ex-President Fillmore presided and addressed the meeting; and the Secretary of the Sabbath Committee, with Wm. E. Dodge, Esq., of New York, and Gov. Buckingham, of Connecticut delivered addresses. A large audience of visitors from all parts of the country gave interested attention to the statements and appeals in behalf of the christian Sabbath.

The Sabbath in other Cities and States.

Increasing interest in the Sunday question is apparent in various portions of the Union. We note some of the facts of the year.

In *New Hampshire*, “an act for the better observance of the Sabbath” was passed July 3, 1860, which provides that “no person shall keep open his shop, warehouse, cellar, restaurator, or workshop for the reception of company, or shall sell, or expose for sale, any merchandise whatever,” under a penalty of not more than ten dollars or imprisonment not exceeding thirty days; the act to be enforced in such towns as shall adopt the same by a majority vote.

In *Connecticut*, a law was passed, at the last session of the legislature, prohibiting the opening of lager-beer saloons on Sunday, under a penalty of forty dollars for each offence.

In *Pennsylvania*, the attempt to modify or repeal the Sunday laws elicited an able adverse report from the committee of the legislature on vice and immorality, which was adopted by an overwhelming vote. The report concludes as follows:—

“Since the abrogation of the Sunday laws would be absolutely oppressive to a large mass of the laboring people, would tend directly to the increase of vice, would be contrary to the known convictions of the patriot worthies of the past and in contravention of all previous legislation, would be repugnant to the moral sensibilities of the great mass of the best citizens throughout the state, and directly in conflict with the statutes of Revelation, therefore we submit that the prayer of the petitioners should not be granted.” And it was “*Resolved*, that the abrogation of the existing Sunday laws would be unwise in itself, and vicious in its results, and the committee are hereby discharged,” etc.

In *Baltimore*, Md., a most remarkable reform has been effected in the condition of public morals. It is thus sketched by the correspondent of the *Daily Times*:—

“There was a time when lawlessness and rowdiness ran riot; when

human life was insecure; when the elective franchise had become a mockery, and immorality of every kind stalked abroad. Idleness, drunkenness, vagrancy, coupled with bloodshed, murder, rapine, and a thousand other evils were common place. Now, thank Providence, the scene is changed. We have sobriety, with most of its concomitants. No murders are recorded; robberies seldom occur. *Grog-shops and hotels, without distinction, are closed on Sundays. Those who would madden their brains with liquor on the Sabbath can not find places wherefrom to procure it. Lager-beer resorts are all closed, and the consequence is, our sacred day of rest passes off devoutly, soberly, and free from violence.* All places of business, excepting barber-shops and printing offices, together with such other pursuits as may be deemed indispensable, are compelled to suspend operations. A regular crusade is being waged by the chief marshal against gambling-houses. Baltimore may now be set down as amongst the most orderly cities in America."

In *Cincinnati, O.*, the Sabbath committee have initiated some important reforms, which they are prosecuting with great vigor. The news-crying nuisance has been substantially abated.

"A Sunday Reform Association" was formed in *St. Louis, Mo.*, in June last; John J. Gill, Esq., president.

"The Narrative of the State of Religion," adopted and published by the general assembly of the Presbyterian church, (O. S.), notices three important particulars of the "influence of the church on the world;" as manifested, "1. By an increased and increasing attendance upon the preaching of the Word; 2. In the better observance of the Lord's Day as a day of sacred rest; 3. In the improvement in the general morality of the people."

Concluding Suggestions.

The facts of the year convey their own lesson. They are confidently appealed to as a practical vindication of the principles of reform avowed and acted upon from the outset of the Committee's labors. Without the prestige of a great organization, without public agitation or controversy, important practical reforms, affecting the peace and morals of the city, have been effected,—every measure thus far undertaken having been carried out with the approbation of good citizens, and with unquestionable public benefit.

One of the respects in which a marked advance in the Sabbath reform may be noted has been in the clearer popular apprehension of the *claims and benefits of the civil Sabbath*. Unceasing efforts have been made to confound the civil with the religious obligations of the Sabbath, so as to furnish a basis for opposition to Sunday laws in the constitutional guaranties for religious liberty. This has been the burden of the diatribes of the Sunday press. The policy of the Sunday theatres has taken this direction,—their godless comedies assuming to be "sacred concerts," or the *worship* of "Shaker congregations!" But, besides the rebuke administered to this abuse of a precious right, in the very article of the Constitution which secures to every citizen the rights of conscience, there are relations of the Sabbath, as a civil institution indispensable to the sanitary, social, and moral well-being of the community, which furnish adequate grounds for existing laws, without in-

volving any religious questions. The absurdity of the claim that, because the Sabbath is the recognized season of religious rest and worship, it can not be protected by law as a day of freedom from traffic, toil, and dissipation, is as great as to object to legal guards for the institution of marriage, because it is also a Christian ordinance; or as to oppose statutory provision securing the rights of property, because the Decalogue declares "Thou shalt not steal." The utter failure of the attempt to impose the fallacies on the people, and the steady enforcement of laws which restrained offences of the most scandalous character,—without invading any right more sacred than that of selling rum and playing comedies on the Lord's Day,—has served to settle the public mind as to the policy and necessity of guarding the civil Sabbath by wise and effective statutes.

Another palpable advance, worthy of note, has been in the *successful enforcement of the laws*. Within a brief period, it had almost become a proverb that "self-governing institutions were a failure in our large cities." Whether or not this desponding view was wholly justified by the facts, it is certain that the inattention of good citizens to great public duties and interests, and consequent misrule and disorder, furnished ground for the most serious apprehensions lest anarchy and lawlessness should supervene and sweep away a government of law. It is believed that the tide has turned; and that the signal and repeated triumphs of law over interest, passion, and appetite,—though backed by powerful combinations, supported by a corrupt press, and appealing to partisan and national prejudices,—must have a decisive influence, taken in connection with simultaneous tokens of good, on the safe working of our institutions.

In two of the measures of the past year the issue has been distinctly joined between the friends and foes of law—the suppression of the Sunday liquor traffic and of Sunday theatricals. Both were mainly in the hands of aliens,—the former of the Irish and the latter of the Germans. Both had long enjoyed complete immunity in their demoralizing business. Both were banded together in "associations," powerful in numbers and pecuniary resources. Both claimed and have exercised large political influence. Both had the strength derived from class-interest, and the sympathy of innumerable adherents whose habits and morals they had helped to deprave. Both depended, in different degrees, on the traditional hatred of their several nationalities of a Sabbath of self-restraint. Both avowed their determination to contest and resist the laws to the last, and to render their execution impracticable by the very frequency and boldness of their violation of them.

We have recorded in previous pages the result of this protracted contest. In every instance, whether in civil or criminal trials, before courts or juries, on questions of law or fact, the side of law and morals

has triumphed; notorious offenders are punished, and the hosts of the invaders of the public peace are discomfited. There may be still many secret violations of the Sunday liquor law, and some evasions of the Sunday theatre law; but this is true of all laws. As a whole, no laws are better enforced than those so bitterly contested; and the city reaps the fruits in the marked diminution of drunkenness, disorder, and crime, and in the recovered supremacy of law, extending through various departments of criminal justice.

One feature of the contest with the Sunday theatres deserves separate notice. It involved the question whether emigrants from other lands may forego obedience to our laws, and substitute for them the vicious habits of their native countries. This claim has been boldly advocated in our German and Sunday journals, and was distinctly set up as a defence on more than one of the trials of these cases in our courts. It is a claim that strikes at the root of our institutions; for if the multiform customs and habits of the nations governed by bayonets rather than ballots are to sway the lives of men who pass quickly here to the use of ballots without bayonets, it is easy to see that the only adequate basis for a free government,—a virtuous, self-governing people,—must be so far lost to us. If the emigrants from one country may import and establish one vice, repugnant to our laws and abhorrent to our moral convictions, others must be free to bring their pet immoralities. And we have the option of changing our laws to accommodate their depravity—of bartering our liberties for their pleasures—or of resisting these unmannerly and ungrateful invasions, and vindicating our laws and institutions in their integrity and supremacy. The latter alternative has been the deliberate and almost unanimous choice of the people of this city, and pronounced by our tribunals with an emphasis which can not be mistaken and should not be unheeded. It is due to thousands, if not tens of thousands, of the law-abiding Germans of the city to add, that they cheerfully accept this view of the conditions of American citizenship, and that they rejoice with us in the result of the contest with the lawless portion of their countrymen among us.

The unanimity and strength of a sound Sabbath sentiment has had impressive illustration in the progress of this reform. It would be easy, doubtless, to involve even the christian churches and ministry in disputes as to many theological questions or matters of casuistry connected with the Sabbath: but on the broad grounds of its divine origin and claims; its beneficent physical, moral and spiritual influence; its sacred observance; its fundamental connection with social order, public morality, religious improvement, and individual and national prosperity, there are but slight differences of opinion. Millions of men in this land, who make no formal profession of religious belief, cordially accept the teachings of the Bible and of the Pulpit in this be-

half, as accordant with their own experience or observation. The instructed conscience always takes the side of the Sabbath. It is this great fact that gives power to every prudent, manly effort for the conservation of the Lord's Day; that furnishes an ample basis for all needful legislation in support of the civil Sabbath; that gives practical energy to wise Sunday laws; and that renders powerless the assaults of the infidel Sunday Press. It is when ultra and untenable views are thrust upon the public, in the spirit of self-righteousness, that christian citizens recoil and stand aloof from a healthful reform. We have studiously avoided such a tone of discussion, and thus are enabled to rejoice in the support of the great body of right-minded citizens.

The Committee have deemed it inexpedient, while dealing with questions more immediately affecting the protection of the civil Sabbath, to invoke the direct aid of the Pulpit, or of distinctively christian agencies. In procuring the enactment and enforcement of laws to secure the public peace and order, it seemed wise to rely on the moral principle and sound sense so largely existing in the community, and finding such a ready expression through the respectable press of the city: holding in reserve for other and more meet issues, that ever reliable strength of religious principle embodied in our church organizations. It has not been the wont of the Committee to foreshadow their policy, or to commit their action in advance. Much, very much, remains to be done to consummate the reforms already effected, and to secure all that is feasible within the range of the civil Sabbath,—enough to test the manly christian patriotism of the friends of morals and religion. And no guards for the Sabbath as a civil institution can be adequate or permanent that have not their ultimate basis in the intelligent convictions of the christian churches and ministers that the Lord's Day is a holy day, the sacred observance of which is a solemn and imperative duty.

NORMAN WHITE, *Chairman.*

HENRY J. BAKER,	HORACE HOLDEN,	} <i>Sabbath Committee.</i>
E. L. BEADLE, M. D.,	JNO. E. PARSONS,	
NATHAN BISHOP,	GUSTAV SCHWAB,	
WILLIAM A. BOOTH,	WM. A. SMITH,	
ROBERT CARTER,	WILLIAM TRUSLOW,	
WARREN CARTER,	W. F. VAN WAGENEN,	
THOMAS C. DOREMUS,	WILLIAM WALKER,	
E. L. FANCHER,	F. S. WINSTON,	
FRED. G. FOSTER,	O. E. WOOD,	
DAVID HOADLEY,		

JAMES W. BEEKMAN, *Recording Secretary.*

RUSSELL S. COOK, *Corresponding Secretary.*

J. M. MORRISON, (President of Manhattan Bank,) *Treasurer.*

APPENDIX.

THE SABBATH-MEETING AT IRVING HALL.

THE friends of the Sabbath assembled in numbers greater than the capacity of Irving Hall, on the evening of Feb. 17, 1861. NORMAN WHITE, Esq., presided, supported on the platform by the members of the Committee, and by Messrs. Peter Cooper, Hugh Maxwell, C. R. Robert, A. R. Wetmore, Shephard Knapp, and a large body of the clerical, legal, and mercantile gentlemen of the city. After prayer by the Rev. Dr. Lathrop, of the Baptist Tabernacle church, and the singing of the hymn, "Welcome, sweet day of rest," Mr. NORMAN WHITE, chairman of the Sabbath Committee, said:—

The friends of the Sabbath have been invited to meet the Committee and hear a report of their proceedings for the past year. The efforts to shut up the theatres and close the liquor shops have been attended with most encouraging success. We cannot overrate the demoralizing tendency of these places—the one alluring young men into scenes most destructive of every moral sensibility; the other tempting the poor man to spend his hard-earned pittance in drunkenness and shame, rather than to provide bread for a suffering family.* The Committee feel great encouragement to go on with their work. When they began, many of the friends of the Sabbath had no confidence that any effort to suppress Sabbath desecration would be successful. The results of the efforts which have been made have wrought a great change in the public mind; doubt and despair have given place to confidence and hope. There is a large class of our foreign population who conform to our customs and laws as they better understand the subject. But we regret to say that there is still another class, numbered by thousands, who are wilfully determined to defy all law and utterly disregard the rights of the Sabbath-loving citizens. With this class our work is but just begun. Until the time shall come when our property and our lives will be safe without the protection of locks and bolts; until we shall be able to disband our police, shut up our criminal courts, and throw open the doors of our prisons; until man shall be so changed that every command in the Decalogue shall be regarded—then, and not till then, can we cease in our efforts to arrest the aggressions which will be made upon the peace and quiet of the Christian Sabbath.

Friends of the Sabbath! under Providence, the work is in your hands. Most gratefully would we acknowledge the blessing of God, which has attended our labors. Except the Lord keep the city, the watchman waketh but in vain.

The Rev. R. S. COOK, Secretary of the Committee, then presented a statement of the facts of the Sabbath reform for the past year, as substantially recorded in the preceding pages of this document.

THE HON. JAMES W. BEEKMAN'S ADDRESS.

Mr. BEEKMAN said :

Mr. CHAIRMAN:—The days of the forcible propagation of truth have passed away. Error still seeks to govern men by other methods than self-control. Believing that the observance of the Sabbath is one of the surest promoters of social happiness and of political prosperity, it has been deemed wise to bring again before the public mind an old but ever interesting topic. The argument from scripture I leave to others. Let us examine the advantages of the Sabbath by the light of history.

Beginning with the Reformation, those nations which have kept holy-time on the seventh day of the week, have been and are the leaders, the strong, the prosperous, because they have learned self-denial, self-control, conscientiousness, and endurance. Those, on the contrary, who have made the Sunday a festival and day of pleasure, have usually been inferior and dependent.

The strange power of the sacred people of Israel, as the money-lenders of the world, who preëminently have been Sabbath-keepers, is mightier than the sword of conquering hosts. And so it will remain until the fulness of time. Palestine shall be purchased, and the scattered exiles, by the development of commercial wealth, shall build again the city of David. Other nations have been born, and ruled, and decayed, as Assyrian, and Grecian, and Persian, and Roman, have run the course of empire, but the eternal race of Jewish wanderers exists yet, as distinct as nationality as when crowding the teeming hive of Canaan. Their existence is the one perennial miracle of our Scripture.

Far up, amid the valleys of the Alps, during the long darkness of the middle ages, in like manner, was the fire of truth kept unquenched by the Waldenses. They too, like the Jews, honored with peculiar strictness the Sabbath day. In one of their writings (an exposition of their commandments) they enjoin those that will keep and observe the Sabbath of Christians to be careful of four things: first, to cease from all earthly and worldly labors; second, not to sin; third, not to be idle in regard to good works; fourth, to do those things which are for the soul. At length, and in our days, we have seen these Vandois churches spreading over Piedmont, and religious liberty advancing southward upon all Italy, leaving the Word of God in countless copies everywhere on her road. In a cold and humid clime, just where the many outlets of the Rhine make their difficult way through sandy levels into the Northern ocean, a hardy race, long defied, for liberty and conscience' sake, fearful odds. They built themselves cities upon piles,—as it were, on the tops of trees; their fleets swept the ocean. They

made good their defence and their independence. These Netherlanders loved the Sabbath, and only when French infidelity under the mask of liberty had overrun the country and forced upon Holland the decades, did the glory of our Fatherland depart.

The monk of Worms, seizing upon the popular indignation at the sale of indulgences, proclaimed everywhere the doctrine of justification by faith, and established the Reformation. But Luther retained some of his conventual education. He failed to enforce the obligation of the Sabbath, and therefore he left a crippled church, which has stood still upon the continent of Europe—nay, gone back from its original vigor, as in France and Bohemia. The stern iconoclasts of Scotland saw in their Bible the clear beauty of the sacred day, and established its honor throughout all her borders. And what is Scotland and what are Scotchmen now? Clyde-built steamers plow the seas of every nation, and penetrate the rivers of the most distant Indies. Livingstone, the Christian minister, has forced her sullen secrets from Africa. Mackenzie and Frazer have left their names upon the map of the arctic rivers. Scotch missionaries have preached the Gospel in every land. Scotland gave us John Knox, and all the noble army of martyrs of the Covenant, and James Watt, and Walter Scott, and the Napiers, and Macaulay, and Henry Lord Brougham, and how many others?

Merle d'Aubigné, the historian of the Reformation, in a recent book entitled "Germany, England, and Scotland," says: "If the people of the United States, notwithstanding their many elements of disorder and dissolution, are not only still in existence, but increasing more and more in power and importance, it is because they are the sons of the Puritans. Order and obedience, morality and power, are all in Britain connected with the observance of the Sabbath. The severity of England as to the Lord's Day, and other institutions, is an imperative condition of the greatness and power of her people." Such is the testimony of a continental Christian, whose ideas on this point are not at all English.

In Mexico, and Chili, and Venezuela, and all those South American republics whose revolutions fill a paragraph of our newspapers as regularly as the news of a freshet or a thunderstorm, the Sabbath is not regarded as sacred. The individual man, freed from the restraint of conscience and self-denial which Anglo-Saxons learn at Sunday-school, is impatient of control, and, in the aggregate as a nation, rebels rather than votes, and decides by a proclamation, backed by an armed force, what we determine by law.

Let us look at the effect of the Sabbath upon health. Statesmen and lawyers who have worked on Sunday, like Lord Londonderry and Romilly, break down in body and mind. Insanity and suicide are the frequent penalties. Rest and sleep are necessities of all animal being. When Rousseau marked on Saturday the height of a bean vine against a wall, and found on Monday that it had grown, he inferred that Sabbath rest was not a law of nature; nor is it of the vegetable world. The interest of horse owners who work their cattle seven days in the week, compels them to have for each vehicle seven horses, that each horse may rest every seventh day in turn.

The statistics of insanity have been quoted against our cause. In Sabbath-keeping lands there are the most lunatics. In heathen countries the fewest. In England and Wales, one of every three hundred is of unsound

mind. In Massachusetts one of every three hundred and two, and in one county, every one hundred and sixtieth person is returned as imbecile. In China there are hardly any lunatics; opium is not as dangerous as rum. Among the negroes madness is unknown. Eighteen per cent. of our Anglo-Saxon insanity is directly referred to intemperance, and Dr. Geislain believes the grand cause of the malady to be the united action of drink and study. Slavery does not disturb the mind of the negro, but the gold frets away the heart of the restless Caucasian. Insanity is a bodily disease. The mind cannot be sick any more than it can die. Malaria, stimulants, want of sleep, the infatuated thirst for gain, and worst of all, the untimely urgency of childish school study, make our people mad. The men of European civilization and of North American civilization are, as it were, in a state of continual intoxication,—intoxication of emotions, of personal dignity; intoxication arising from constantly renewed impressions, to say nothing of political agitation. Without the Sabbath it would be far worse, and that this is true a reference to the French reign of terror is enough to prove. Then reason, having left the minds of men, took the form of a courtesan, and was worshipped as an incarnation of folly and fickleness. In the reign of terror there was no Sunday. Europe and America have produced the steam engine and the telegraph, the printing-press, the railway, the sewing machine, and the reaper. The names given to immortal fame fill the biographical dictionaries and encyclopedias. The fervid agitation of restless workers, like the labor of bees, brings forth nations as the bees swarm; and we have seen in our time a prophecy almost literally fulfilled, in that California was born in a day; and a people, overrun with the outcasts of every clime, adopted the Christian Sabbath, and crystallized into an orderly and well-governed community.

The Christian education of woman has given to England, Florence Nightingale, and to America, Dorothy Dix—both missionaries of kindness to the forlorn, and both names which posterity shall not willingly let die. Again, we are told that Sabbath-keepers are weeping and dismal, refusing that Christian liberty with which Christ has made us free. William Cowper pined in helpless melancholy in the unwholesome malaria of ague-smitten Olney, and shall we be told that Sabbath-keeping and religion brought no consolation to him? The wonderful author of the "Testimony of the Rocks," broke down under remorseless work, by night and day, such as would have killed a hunter. Hugh Miller fell a victim to disease which would have culminated long before but for the soothing relief of the Sabbath. Both these good men were sick because they disregarded the laws of human health and life. The religion they loved consoled them living, and redeemed them dead; but health is a duty as well as piety; for are not our bodies temples of the Holy Ghost?

The Sabbath is a blessing, because it makes men intelligent by giving time to think, and topics to discuss, quite removed from the ordinary routine of their lives. It makes a man conscientious, self-denying, humble. It teaches him to check the sensual and lower, and to cherish the higher tendencies of his nature. The Sabbath brings families together, and gives to the toiling father one day in seven to rule his little state, which is the foundation of all government. There honesty is inculcated, and vice condemned; dangers

pointed out, and encouragement given to the faint-hearted. On the Sabbath God is worshipped because it is the set time to do so. Labor stops and comes refreshed to the Monday's task. "A well-spent Sabbath," says Dr. Reid, "by upholding and diffusing religion, becomes a powerful barrier against social convulsions. Hence it is that the enemies of peace and order are profaners of the Sabbath. Their unhallowed discussions, their public meetings and their private cabals, are all held on this holy day, and true to their vocation, this section of the community are always found to be the most clamorous for legalizing every species of Sabbath profanation.

Is not this true also in our country? We feel it to be so, and therefore we strive, *not* to prosecute and pursue with all the pains and penalties of law, those who think all days alike, and would make a festival and frolic of what we deem sacred; but we mean to spread our opinions before our neighbors with what arguments we may. We want to give information—we want discussion. We believe with Dr. Humphrey that but for the moral power of Sabbathal institutions, neither property nor reputation would be safe, and that the American character and government will go down into the same grave that entombs the Sabbath. We have seen and felt the beauty of this holiness of the Day of days, and we earnestly seek to make others partakers of our pleasure. "He keeps the Lord's Day best, who keeps it with the most religion and the most charity."

THE REV. MR. GANSE'S ADDRESS.

The Rev. H. D. GANSE, Pastor of the Twenty-third Street R. D. church, made the following admirable address:—

This community is now deciding a most momentous question. That question is not this—whether the religious observance of the Sabbath can be forced by law upon a reluctant portion of our population. There is no part of this community that would resist such an attack upon our religious liberty more promptly and resolutely than that which is represented here to-night. But the question is this: Can a civil rest-day be sustained by law in the city of New York? Into the idea of such a civil rest-day three elements seem to enter. It must relieve the laborer from his week of toil. It must secure to those who are religiously inclined the opportunity to worship without disturbance; and it must so far close the most active fountains of popular vice as to save the day of rest from being perverted into a social curse. Can such a day be sustained by law in this city? The question would be full of interest, whatever community it might regard. But there are few points where it could approach solution under circumstances as interesting as those which are to decide it here.

In the first place, it is a question for the people. No despotism or oligarchy is to make the law for us, and then to enforce it. We make it and sustain it, or we reject it ourselves. And the verdict we give shall go forth to the world as the decision of an intelligent and free people. That fact shall give weight to it. We may notice, too, that the discussion of this great issue is not complicated by the influence or even the presence of an established church. No bench of bishops casts a vote upon it. No Christian minister can affect its decision, except by arguments which any man is free to accept

or to despise. Besides, whatever verdict this community shall render in this cause, shall be a verdict upon full evidence. All the testimony of which the case admits is before us. There is no shade of opinion or feeling in regard to the observance of the Sabbath, that is not represented and freely discussed in this city. Among the friends of the day you may count those who exalt the Christian Lord's day almost to the ceremonial sanctity of the Jewish Sabbath; and those who, with no idea of its divine authority, yet maintain a day of rest on the lowest principles of material economy. Between these extremes stand a host of men—Christians, philanthropists, patriots—who would debate with each other interminably upon the *ground* of Sabbath obligation, but who agree in one thing, that the *obligation* is complete. On the other side, you have the embodiment of every principle that sets itself against this day. Passion, avarice, false education, a degraded Christianity, infidelity, atheism, have gathered their army of Sabbath-breakers and Sabbath-haters in this city of New York. God has suffered these scores of creeds condemning this day to be formed in their different schools, and then has made this city of ours the forum in which a decisive discussion is to be had. Here they meet, the offspring of the Puritans and the Hollanders, the sons of French and German Protestants, the men that first saw Sabbath-light in the glens of Scotland, and along the green lanes of England; here they are to do battle for the right. And arrayed against them are the representatives of every demoralized nationality of Europe. The godless portion of our own population strike hands with them, and perverts from Christianity take the lead of them. The lists have been opened; the combatants have taken their places; the trumpet sounds. Now let the charge come. I do not regret this posture of affairs. Let truth and error be fairly marshalled. May God defend the right, and let the struggle decide it!

What shall the issue be? There are some hopeful signs.

First, it is God's cause. We are not aiming to bind men's consciences to a religious Sabbath. But the rest-day is his. And if we can withhold men from gross indulgences on the day, we may hope to lead them to worship. If you take the turbid mountain torrent, and smite it into seven streams, every one of them will flow turbid still. And the tide of worldly feeling that flows for six days, will flow no purer on the seventh, if you only divert it into the channels of lust. But gather up the mountains of law about it; let it rest and grow clear, like a sweet Swiss lake among its hills, and the stream will still need to flow, but it will flow in praise. It would be no wonder if the observance even of the civil rest-day in this city should be followed with the opening of the windows of heaven, and with showers of grace. God is on our side.

And men are on our side. We have the double advantage of all the original Sabbath feeling of this community, and of our most successful experiment. What good citizen can close his eyes to the most striking and cheering statistics of the diminution of crime, that were just now read by our secretary? They tell me that men are at Albany now, with their thousands of signatures, for the repeal of our Sabbath laws. Let our legislators remember that we can command signatures too, when the emergency shall demand them. And there might be among them a class not represented on that list of thousands—the signatures of wives who are forgetting to weep, of chil-

dren who are looking without shame on the faces of their fathers, of employers rejoicing to find steady workmen in those who eighteen months ago carried the debauchery of the Sabbath half through the week.

The strength of the community is on our side. There is only this fear—that good men will trust the good cause to care for itself. The wicked know that God is against them, and so they combine. The friends of a good cause are too ready to assume its success because God is for it. God fights for the good when they fight for themselves.

But there is one element of encouragement very prominent in the minds of all those who are interested for this enterprise. It is the signal and successful prudence with which it has thus far been conducted. I hazard nothing in saying that no undertaking of equal moment, that has been begun in this city within the memory even of the old among us, has so commanded the hearty and unreserved admiration of the wise and good. God has blessed you and your helpers, sir, with the wisdom that is profitable to direct. We are sure, then, that the cause is in good hands, and so we have hopes for the issue.

Alas for us, if we fail! We are standing on the water-shed. The stream of popular feeling which bursts out at our feet will flow down this declivity or down that. If those whom we have met and repulsed shall rally and repulse us in turn, they will not reinstate the same evils which we have succeeded in diminishing. Flashed with their success, confident in the added strength which shall have achieved it, they will sweep you down to the level of a Sunday in Paris or Vienna.

But what if we succeed? A happy success shall that be for our congregations of Christian worshippers; a happy success for those of us who have children to rear in this great metropolis; a happy success for those who send forth their sons from the sacred calm of the Sabbath in their father's home and in the village church, to this city of temptation and vice. Be sure, sir, that warm hearts in many a country home, while they think of their dear ones among us, are thanking God for your success, and entreating him to enlarge it.

But the results of our victory shall not be so limited. The battle that we are fighting is preëminently a *representative* battle. This giant has come down from Gath, with his spear like a weaver's beam, and he stands and defies the Christian sentiment and strength of this city, and of all this land. If he shall win the battle, our whole Israel shall have lost it, and the Philistines shall rule us. The Christian feeling of this community is the David that accepts the challenge, and the host looks on. If we win, then the cause of the Sabbath has received strength and interest through all this land. And already, indeed, are our chief cities imitating, with most encouraging results, the efforts which we are making in New York. But you cannot limit the results of your future successes to this land. All Christendom looks on, for all Christendom has its representatives in this conflict. And there is not, perhaps, another city on our globe in which a sustained civil Sabbath would have such power to affect the old nations of Europe, as this city of ours. Their own cities are too near each other, and too much under the influence of national jealousies, to make the spectacle as impressive in one of them as it would be at this distance across an ocean. Let us lift up our broad canvas,

and lay the brilliant colors upon it, and the nations shall see it with wonder and admiration. The light of our Christian rest-day should stream across the waters like the warm radiance of a setting Sabbath sun. The campaniles and domes of regenerated Italy should glow in it. The quaint old spires of France and Germany should brighten in the ruddy light; and even the ivied towers of England should welcome the gilding western beams.

Shall such success crown our efforts? We expect it. In this behalf, I think, we *now* lead the world. And God leads us. Let us be united, and earnest, and trustful, and prudent, and kind, and so let us triumph.

THE REV. DR. SPRING'S LETTER.

The venerable pastor of the Brick Church, being unable to attend the meeting, addressed the following letter to the chairman, which was listened to with profound interest:—

MR. CHAIRMAN:—It is but an act of courtesy to indicate to the gentlemen constituting the Sabbath Committee, that we are not indifferent spectators to what *we* have witnessed, and what *they* have done. If I mistake not, there is in the hearts of all the friends of good order in this community a deep and cordial and joyous sympathy in this noble enterprise. It is a rough path the Committee have travelled over; and we wish them to understand that we not only look upon them with the eye of brethren, but that there is a tone of feeling in our minds that moves along with them, and that would fain cheer and animate them in their arduous work. We all have but one set of emotions toward the sacredness, the loveliness, the high-born and heaven-imparted influences of the Lord's day. Not more inseparable is this day of holy rest from the healthful exercise of the Christian graces, than it is inseparable from that protecting morality which is the surest guardian of social and national virtue.

If we cannot banish vice from the midst of us, there is something gained when we can strip it of its gorgeous hues, and drive it into obscurity. Daniel Webster once said, "Some persons lose their abhorrence of crime in their admiration of its magnificent and pleasing exhibitions." It is not always true that

"Vice is a monster of so frightful mien,
That to be hated, needs but to be seen."

It is usually conceived of in hideous colors; and the more need is there that we take good heed not to be deceived by it when it comes in an attractive form. Marvellous to tell, it has been reserved for the times in which we live to advocate the sin of Sabbath-breaking by the plea of *liberty of conscience!* as though liberty of conscience is the liberty of bidding defiance to the law of God! Thanks to the effective police of our city for detecting and exposing the glare of these Sabbath vices; and thanks to an impartial and upright court, that in the day of trial they gave no countenance to the plea that liberty of conscience is the liberty of "sacrificing to devils and not to God." Men never violate the law of God more flagrantly than when they do it from a false principle of conscience; and they never do so more *impudently* than when they profess honest and conscientious intentions for the mere pur-

pose of covering their vices. Napoleon remarks that "There is no class of men so difficult to be managed in a state as those who impose upon their own consciences." If your Committee had done no more than tear away this gossamer pretext of crime, they would deserve well of all honest men.

You have often listened to luminous expositions of the truth that "the Sabbath was made for man, and not man for the Sabbath." It so wisely consults the demands of his physical, intellectual, social, moral, and immortal nature, that I have long regarded it as among the beautiful proofs of the divinity of the Scriptures, and that they were written by Him who perfectly knew the wants of this wayward, wearied, and sin-impooverished world. The Sabbath is its choicest inheritance. For what would the ministry of reconciliation be, and what the Bible, and what its Saviour, without its Sabbaths? Shorn of its Sabbaths, the din and urgency of time would be its ruin. Expunge the Sabbath from the history of man, and you take down the symbolic ladder on which the angels of God are descending from heaven to earth, and frail, sinning man ascends from earth to heaven.

I know, Mr. Chairman, there are obstacles in the work you have undertaken to perform. I have felt them. I have struggled with them, and found "old Adam too hard for young Melancthon." In the early days of my ministry, I was discouraged by them; public opinion was slow to sustain the little band who forty years ago ventured to "beard the lion in his den." But, sir, the path of duty is a bright path, though it climbs over the "Hill Difficulty." When a young American officer was summoned to the assault of one of the enemy's frowning outposts, he promptly replied to his superior, "I will try, sir." Your Committee have *tried*; and they have shown that there is great efficacy in combined and persevering action—all, notwithstanding the variety of their views on matters of religious faith and polity, buckling on their armor, and standing shoulder to shoulder in their wise and patient onset upon this one strong entrenchment of the foe. They have been steady to their purpose, and the Lord God of the Sabbath has been with them, and is with them still.

Mr. Chairman, he who addresses you can say, with one of other days, "I have been young, and now am old, yet have I not seen the righteous forsaken;" and though winter scatters his snows thus plentifully on his head, he is thankful that time spares him to utter these few words of encouragement to the friends of the Sabbath. Allow him to say to you, in the language of Jehoshaphat to the judges of Judah, "Deal courageously, and the Lord be with the good;" and, in the language of the prophet to a king, "The Lord is with you, while ye be with Him."

PROFESSOR HITCHCOCK'S ADDRESS.

The Rev. R. D. HITCHCOCK, D. D., Professor in Union Theological Seminary, made the closing address as follows :

After these addresses to which we have now listened, and such addresses representing so ably the counting-room, the bar, and the pulpit of our city, there remain to me little time and less material for a speech. I cannot, however, deny myself the luxury of expressing my personal respect, and begging the audience to permit me to be their mouth-piece in expressing their respect for this Sabbath Committee. Wellington once said that it requires sometimes as much genius to feed an army as to lead it in battle. This Committee have accomplished the rare achievement of providing for their own expenses, by no means inconsiderable, without once appealing to the general Christian public for pecuniary assistance. For this we owe them our thanks. But still more do we owe them thanks for the singular wisdom of their measures. They have committed no mistakes; they have taken no extreme, untenable positions. This is a great matter, thus to have marched straight forward without once beating a retreat; to have managed an assault which has known no repulse; to have dealt a heavy shock which has been followed by no recoil.

The practical presupposes the ideal. All prudent undertakings, whether of conservation or of reform, must proceed upon the basis of clearly conceived and sharply determined principles. This Committee, at whose call we are here to-night, have in charge a great enterprise both of conservation and of reform; the conservation of an institution very precious to our fathers, and honored in the legislation of every Christian commonwealth from the time of Constantine till now; the reform of flagrant abuses which threaten to sweep away this institution alike from our statute books and from our streets. This Sabbath enterprise is of necessity inspired and sustained by a Sabbath doctrine which it behooves us to put distinctly in the foreground.

What is this Sabbath doctrine? I have not compared notes with the Committee; I am not the specially authorized expounder of their opinions: but I think I shall run no risk of misrepresenting their position, if I say, first, that the Sabbath, for whose defence they have pledged themselves, is not the ecclesiastical Sunday of some of the European scholars and communions, a mere church-day, with no higher sanction than attaches to such festivals as Easter, Epiphany, or Christmas. Nor is it merely the Lord's Day, having no organic connection with any earlier appointment. Nor, again, is it merely the Jewish Sabbath, promulgated for the first time in the Decalogue, and, by simply a change in the day, carried over into Christendom. It is, indeed, a church-day, cherished by the devout in every Christian generation as "the queen of days." It is also the Lord's Day, specially commemorative of his resurrection. And it has connection, moreover, with the day enjoined upon the Hebrews in the fourth commandment of the Decalogue. But it is also more than each or than all of these. It is essentially the original Sabbath of the race, hallowed in the beginning when the work of creation was finished; antedating Judaism, and consequently surviving it;

given to man as man, and therefore binding upon him in all ages and climates, and under all dispensations. In confirmation of this original appointment, we appeal to the hebdomadal division of time so widely diffused; we appeal to the human constitution itself, which in all its parts, physical, mental, and moral, is so palpably prefigured to just this proportionate amount of holy rest.

The Sabbath, as thus defined, holds most important, nay, even vital relations to the three great organisms which condition the history of our race; I mean the family, the church, and the state. It supplies the atmosphere, without which they cannot breathe. Here are great questions waiting to be discussed, into some of which this Committee have not yet entered. They have not yet taken up the Sabbath as related to the family. Doubtless they feel, as I do, that the Sabbath has hardly as yet begun to be what it might be to the household; a holy but joyous day, which no gentle child shall dread in its coming or speed in its going. Nor have they discussed the Sabbath in its relation to the church. Doubtless they feel, as I do, that the church has yet to learn how to make the most of its holy day; by prayer, by psalm, by service of whatever sort, turning its golden opportunities to the best account. These branches and aspects of the question we may hope will receive attention in due time. Thus far the Committee have had enough to do in taking care of our civil Sabbath—the Sabbath as it stands related to the state.

We hear a great deal of senseless declamation about the union of church and state. The church, certainly, desires no such union. She remembers too well the lessons of history. She knows that this union is most likely to involve, sooner or later, the subjection, not of the state to the church, but of the church to the state. Independence, even with a sharp antagonism, has been proved to be better than friendship and patronage when purchased by dependence. So was it during the first three Christian centuries, which gave the church her noble army of martyrs. From the time of Constantine, for more than seven hundred years, there was a union of church and state, involving the supremacy of the state, worse for the church than sword and flame. Hildebrand reversed all this, compelling the state to bow to the church as “moon to sun.” But this priestly triumph was short-lived. The Protestant reformation, which owed so much in its inception to the favor of temporal princes, was soon fettered and crippled by that favor. It was not till our own continent took its place in history, that the true, normal condition of things was realized—*independence without antagonism*. On this ground we plant our feet. Of the state we ask nothing but to be let alone as Christians, while as citizens we receive that protection in the enjoyment of our rights to which all citizens are entitled. For our principles we invoke only that favor from the state which the state itself finds needful in order to its own security.

Let us be understood. It is as good citizens, anxious for the weal of the state, that we are here to-night. We speak not for the church, which will take care of her own Sabbath, but for the state, which must have a Sabbath, or else curse God, and die. To the state we say: This, for you, is simply a question of self-preservation. Will you live, or will you die? If you would live, you must give your citizens a stated weekly season of sober, sacred rest. If you would die, you

have only to surrender the Sabbath to profanation. Secularize it by permitting servile toil, or making civil processes valid, or inviting revelry, and your work is done. Your citizens will soon be subjects, and your subjects will soon be slaves.

Sabbath legislation, such as this Committee favor, is sometimes denounced in the name of civil freedom and democracy. Much to be pitied are the men who are imposed upon by such denunciation. A more humane, democratic institution than this of the Christian Sabbath, as recognized in our civil legislation, does not exist. In every aspect of it, it is evidently made for man, and for none so eminently as for the man of poverty and toil. Around him especially does the state throw the arms of its protection. Labor is thus defended against the remorseless exactions of capital. Every seventh day, it is declared, shall be a day of rest. And furthermore, this day of rest, it is decreed, shall not be made a day of special moral danger by reason of greatly multiplied solicitations to sensual indulgence. The privilege of rest shall not thus be poisoned and perverted by those who offer the masses pleasure, not because they love the masses, but because they wish to fleece them of their hard-earned wages. They only are the real friends of the people who are determined that this day of rest shall be surrendered neither to Mammon nor to Belial.

But we take still higher ground. Our nationality, if it be anything, is a Christian nationality. This new theatre of history was entered under the banner of the Cross, with lofty strains of Christian cheer. We are not a pagan, nor a Mohammedan, nor a Jewish, but a Christian people. And those who cannot accept this fact, and govern themselves accordingly, had better leave us to ourselves, just as we should leave a pagan, a Mohammedan, or a Jewish country, were its institutions offensive to us. Intelligence and virtue, even the infidels among us admit, are essential to the perpetuity of our free institutions. But intelligence and virtue, we are well persuaded, are an idle dream unless they rest upon the solid basis of a Christian morality. The nation must live, if it live at all, by faith.

And if there was ever a time when men should seriously reckon with themselves, and with their God, and their fathers' God, it is at a time like this, when these stately pillars of the state are trembling about us, and the grand dome which these pillars bear up is swaying to and fro in the sky. These are hours of apprehension and of peril, such as we have never known; and nothing can endure which is not founded upon the solid rock. Hence our zeal for the Sabbath. We contend for it, not merely as an institution of the church, not merely as Christians: we contend for it as patriotic Americans, who are not willing that our liberties shall perish. Give us *holidays*, and you will give us presently a military despotism. Give us this *holy-day*, and you will keep us republican freemen.

The Benediction was pronounced by the Rev. JOHN COTTON SMITH, of the church of the Ascension, the Doxology was sung, and the throng dispersed.

PRESENTMENT OF LIQUOR DEALERS' ASSOCIATION
FOR CONSPIRACY.

"NEW YORK, FRIDAY, JUNE 22, 1860.

"The Grand Jury would be blind to the circumstances attending most of the cases of crime they have considered, did they not trace their origin to the indiscriminate sale and use of intoxicating liquors, and to the prevalent spirit of lawlessness induced by classes and associations engaged in the liquor traffic, or conspiracy to obstruct the enforcement of the statutes for restraining it.

"It is obvious that the efforts of judicial or executive authorities to punish crime and to secure public peace and order must prove abortive, so long as the causes of crime and disorder are not only unchecked, but are fortified and stimulated by organizations, powerful in numbers and wealth, actively employed in embarrassing the administration of justice in all cases affecting the interests of their members. It is a notorious fact that thousands of dram-shops pursue their business, and have done it for years, in defiance of laws of the State declared to be constitutional by the Court of Last Resort, and when every unlicensed sale of alcoholic or other intoxicants is pronounced by the law, as expounded by the Court of Appeals, to be a misdemeanor.

"Indeed the penalties incurred, whether criminal or civil, by this traffic, if imposed and collected, would pay the entire amount of taxes of the city, enormous as it is. That they are not imposed or collected, and this traffic brought under legal control, is due chiefly to the unscrupulous meddling with political and judicial affairs of "Liquor and Lager Dealers' Associations." Thousands of men thus combined, with an energetic Executive Committee, adroit and well-paid counsel, and abundant resources for tempting and coercing public officials and public journals, leave but an indifferent chance for the protection of the rights or morals of a community too busy to look after public interests, and too unwieldy to counterplot the mischiefs of a selfish conspiracy.

"It may be worthy of the consideration of the public whether it is consistent with either the dignity or safety of the city longer to endure the shameful paralysis of law and justice affecting the chief cause of taxation, pauperism and crime, and whether the statute intended to protect the community from illegal conspiracies of this sort should not be brought into requisition.

"It is provided in part 4, chap. 1, title 6, section 8, of the Revised Statutes, "If two or more persons shall conspire * * to commit any act injurious to public health, to public morals, or to trade and commerce, or for the perversion or obstruction of justice, or the due administration of the laws, they shall be guilty of a misdemeanor." It would seem that this law, applied to the matter here presented, and to like conspiracies for supporting illegal Sunday performances, might restore our machinery of government to its normal condition.

"It is further due to the public to direct attention to the demoralization and lawlessness consequent upon the contempt of our statutes for protecting the weekly day of rest and worship from unseemly and immoral public exhibitions by the proprietors of Sunday Theatres and Beer Gardens. Not only have they defied the law, but even the injunctions of Courts have been set at naught, and a combined purpose has been avowed and acted on to override law and authority, and in spite of all to persist in practices offensive to the vast majority of our citizens, foreign to our national usages and convictions, and destructive to public morals.

"It would appear to be essential to the very being of our institutions that this state of thing should be brought to an end. We have no shield but a government of law. If one class may take the law into their own hands, all classes may, and society resolves itself into its original elements. At any cost, and at all hazards, existing laws should be wisely and impartially enforced, and the men, or classes of men, who choose to set them at defiance, declare themselves to be outlaws, and need to be thus dealt with, without fear or favor.

"HOMER FRANKLIN, Foreman.

"J. C. KENDALL, Clerk."

THE SUNDAY THEATRE LAW CONSTITUTIONAL.

Abstract of Judge Hoffman's Opinion.

The People vs. Hoym and Hamann.—The demurrer involving the constitutionality of the act of 1860 against Sunday theatricals, was argued by Mr. Cram for the people and Mr. Clinton for defendants. The opinion of the learned judge recites the offense charged in the complaint and the provisions of the act, and refers to his views of the Divine authority of the Sabbath institution as expressed in the case of *Campbell vs. The International Insurance Co.* (4 Bosworth's rep. 312), which he reaffirms in the language of Bishop Wilson: "The dedication of one day in every seven to religious rest and the worship of the Almighty God, is of divine authority and perpetual obligation, as a characteristic of revealed religion during all its successive periods; having been enjoined upon man at the creation; recognized and confirmed in the most solemn manner in the Ten Commandments; vindicated by our divine Lord from the unauthorized additions and impositions of the Jewish teachers, and transferred upon the abrogation of the ceremonies of the Mosaic law, to the first day of the week, in commemoration of the resurrection of Christ, and on that account called the Lord's day." Though not essential to the present case, the conclusion thus expressed is not deemed irrelevant to it, and it has not been lightly formed, nor without attention to the arguments of the eminent men who have doubted or contested it.

The history of our state legislation connected with the Lord's day, is of great importance and pertinence. He cites "The conditions of the burgomasters of Amsterdam," of 1656; the laws of the duke of York, of 1664; the charter of liberties, October, 1683; the colonial statute of 1693, "against the profanation of Sunday," which was in force at the adoption of our state constitution, in 1777, and until the passage of the state statute of 1788, which latter was substantially that of the Revised Statutes of 1813 and 1830.

The Constitution of 1777 lacks the provision of the subsequent constitutions of 1822 and 1846, that "no person shall be deprived of life, liberty or property, without due process of law, and no member of this state shall be disfranchised or deprived of any of the rights or privileges secured to any citizen thereof, unless by the law of the land or the judgment of his peers." But the Thirty-fifth article declares the common and statute law of England and the acts of the Colony in 1775, to be the law of the state. The great charter of John, and that of Henry III, confirmed by thirty-two successive acts, were as clearly a part of the law of England as the writ of *habeas corpus*.—(Kent's Comm., vol. II, p. 26.) Soon after the Revolution (1787) a bill of rights was passed, with provisions nearly identical with the charters of John and Henry; and the revisers of 1822 adopted a similar bill. The clause in section 3 of the constitution of 1846, as to the freedom of religious profession, was in the constitution of 1777 and 1822; the only change being the additional clause respecting the competency of witnesses.

This historical investigation establishes, as I think, beyond doubt, that there has never been a period in our legislative history, since 1777 at least, when every provision as to the enjoyment and right to property, and as to freedom in religious profession now found in the constitution of 1846, was not as fully part of the fundamental law of this state as it is now. (The exception as to witnesses does not affect the present question.) And thus, if the legislature cannot prohibit, restrict and modify the rights of using property on Sunday, under the present constitution, then the statute of 1788, and its renewal in 1813 and 1830, have been equally illegal and void. The selling of merchandise has been forbidden in those statutes. The whole course of legislation has then been against the organic law, and the decisions of courts of justice have been violations of the citizen's rights. I cannot see a substantial distinction between the interdiction of the employment of cattle in ordinary agricultural labor, or the ordinary sale of merchandise, and prohibition of the use of premises for certain specified purposes on Sunday. Each instance rest upon the principle of good order and public morality and peace. In each the full enjoyment of property is restrained. In the old statutes, no distinction is found between cases of property possessed at the passing of the statute and that subsequently acquired; nor is there a trace of it in the authorities.

The case of *Hurchhammer vs. The People* (3 Kernan, 378) is relied upon by

the defendants. But all the leading opinions notice and enforce the distinction between legislative acts which operate the entire destruction of property, or any right to use it, and restrictions, or qualifications upon the time, place, or mode of enjoyment. Only when provisions pass the boundary of regulation and police, and work the essential loss or destruction of the property, are they unconstitutional.

This view answers every argument deduced from the Constitution of the United States as to the inviolability of contracts. If the act can be sustained as a regulation, founded in public policy of the use of property existing or future, no contract is illegally affected. The same consideration furnishes a reply to the suggestion that the act is void in being confined to the city of New York. If the evil was local, in the judgment of the legislature, the remedy may be so.

Several authorities are cited and commented on, as follows: 9 Cal. Reports, p. 502; 2 Ken. Reports, 3; 34 Penns. Report, 398; same, 86, etc.

These views and authorities, adds the learned judge, lead me to the conclusion that the statute in question is valid, and a lawful exercise of legislative authority. Judgment for the plaintiff on the demurrer, with costs, with leave to answer in twenty days.

[The following "Constitution" was presented in evidence on the trial of Lindenmuller.]

"CONSTITUTION OF THE RELIGIOUS SECT CALLED THE GERMAN SHAKER ASSOCIATION.

"The undersigned hereby form a Society for the purpose of passing the day of the week called Sunday in a manner worthy of cultivated and thinking men; to rest from the labor of the preceding days, and to gather strength for the following. They meet together to keep Sunday religiously with their families; to listen to useful and serious addresses of single persons, and of several speaking together; to represent occurrences from actual life, founded on morality; to counsel good; to avoid evil, and with our might and strength keep every one from evil; so to act towards our fellow men as we wish to be treated by them, according to the words in the Bible, "Love thy neighbor as thyself." We believe in the immortality of the soul, implanted in us by the Goddess "Nature." We believe in the Sacred Beings, who, by the strength of their souls, have guided thousands to the paths of mortality and nature. We believe that the Goddess, Nature, Morality and Humanity, form a Trinity before which we bow down. We battle and work for this, our religion, by moral representations, by delineations of the light and shady sides of human life. We strive to elevate men to become noble citizens of the Universe. We declare these, our Sunday acts, to be our religious mode of worship."

SABBATH DOCUMENTS.

1. The Sabbath as it was, and as it is. 8 pp.
2. Railroads and the Sabbath. 16 pp.
3. News-crying and the Sabbath. 16 pp.
4. The Sabbath in Europe. 16 pp.
5. The Sunday Liquor Traffic. 24 pp.
6. A Year for the Sabbath. 16 pp.
7. Memorial Memoranda. 40 pp.
8. German Document on Sunday Liquor Traffic. 24 pp.
9. German Sabbath Meeting at Cooper Institute.
10. The Broderic Sunday Pageant. 16 pp.
11. Sunday Theatres, Sacred Concerts, and Beer-Gardens. 24 pp.
12. Progress of the Sabbath Reform. 32 pp.
13. The Press of New York on Sunday Laws. 24 pp.
14. Our Central Park. 8 pp.
15. The Civil Sabbath Restored.

Orders may be addressed to "THE SABBATH COMMITTEE,"
No. 21 Bible House, New York.

Zweite

Deutsche Versammlung

zur

Förderung der Sonntagsfeier,

gehalten

im Cooper-Institute zu New-York,

am Sonntag Abend, den 10. März 1861.

Mit den Reden von Herrn G. Schwab, Pastor Dr. Stohmann,
Sekretär H. S. Cook, Prof. Rauschenbusch, Prof. Dr. Hitchcock
und den Beschlüssen der Versammlung.

Herausgegeben von der New-Yorker Sabbath-Committee.

(Doc. No. 16.)

New-York:

Gedruckt bei H. Ludwig, 39 Centre-Strasse.

1861.



1. Veranlassung der Versammlung.

Am 17. April 1860 erließ die gesetzgebende Versammlung des Staats New-York ein Gesetz, „zur Erhaltung der öffentlichen Ruhe und Ordnung am ersten Wochentag oder Sonntag.“ Dies Gesetz verbietet öffentliche theatralische Vorstellungen, sowie alle ähnlichen Vergnügungen am Sonntag, unter Androhung einer Strafe von 500 Dollars, und ermächtigt die „Gesellschaft zur Besserung jugendlicher Verbrecher,“ in Uebertretungsfällen Klage zu führen und jene Summe einzuziehen. Außerdem tritt in solchen Fällen noch die Strafe ein, welche das Gesetz für alle derartigen Vergehungen (misdemeanors) vorschreibt. Auch verliert Jeder, der am Sonntag theatralische Vorstellungen veranstaltet, die Erlaubniß (license), solche an Werktagen zu veranstalten.

Zur Zeit, als dieß Gesetz erschien, fanden in der Stadt New-York am Sonntag Abend an zwanzig verschiedenen Orten theatralische Vorstellungen statt. Meistens versteckten sie ihren ungesetzlichen Charakter dadurch, daß sie auf den Anschlagzetteln als „Sacred Concerts,“ oder „Concerts of Sacred Music,“ angekündigt wurden. Aber während dieser Name geistliche oder religiöse Musikstücke erwarten ließ besagte schon der weitere Inhalt des Anschlagzettels, daß Lustspiele und Poffen, Walzer und Ballette gegeben würden. Dazu kamen noch Glücksspiele aller Art, nebst sonstigen rauschenden Belustigungen. In den deutschen Theatern ward den ganzen Sonntag Nachmittag und Abend Bier in Strömen an die, oft weit über 1000 zählenden, Besucher ausgetheilt. Eine noch viel schlimmere Gestalt gewann die Sache in den am Sonntag offenstehenden amerikanischen Theatern die, auf Anlaß der deutschen entstanden, aber bald sie an Unsittlichkeit und Verdorbenheit weit übertrafen. Ganze Schaaren gefallener, oder ihrem Fall entgegen eilender Mädchen bewirtheten hier die jugendlichen Verbrecher, die sich in Menge zusammenfanden, und es wurden Dinge getrieben, die in den verderbtesten großen Städten der alten Welt an keinem Tage der Woche geduldet werden würden.

Die Ursache, weshalb solcher Unfug so lange fortgehen konnte, lag größtentheils in dem Umstande, daß so etwas hier zu Lande bis dahin theils gar nicht, theils wenigstens am Sonntag nicht vorgekommen war. Die alte gute Sitte hatte es fern gehalten: somit war keine Veranlassung da, Gesetze dagegen zu erlassen. Diejenigen Gesetze, die etwa gegen Vergehungen dieser Art gerichtet waren, waren theils nicht bestimmt genug, theils setzten sie zu geringe Strafen fest.

Als nun im Frühjahr 1860 der Entwurf des oben erwähnten Gesetzes der gesetzgebenden Versammlung vorlag, boten die Biertheater-Besitzer zuerst Alles auf, um den Erlaß des Gesetzes zu hindern. Darnach aber, als es dennoch durchgegangen

war, beschlossen sie, dem Geseze Troß zu bieten, koste es, was es wolle. Die Sonntags-Schauspiele dauerten also fort, und zwar in Begleitung der giftigsten Ausfälle gegen das Christenthum und die Landesgesetze. Die Berichterstatter (reporters) derjenigen Zeitungen, die am entschiedensten gegen Sonntags-Belustigungen auftraten, wurden in effigie (im Bilde) gehängt, die Polizei geschmäht und die frechsten gotteslästerlichen Reden von der Bühne herab geführt. Einer der vornehmsten deutschen Theater-Besitzer hatte die Stirn, seine Schauspiele als den „Gottesdienst der deutschen Schärer-Gemeinde“ anzukündigen, welche an die „Göttin Natur“ glaube und durch bildliche Darstellung der Licht- und Schattenseiten des menschlichen Lebens sittliche Hebung erziele. Eine so elende Posse diese Behauptung auch war, die „Constitution der Religionssekte, die sich deutsche Schärer-Gemeinde nennt,“ wurde bei dem gegen ihn anhängig gemachten Prozeß allen Ernstes dem Gericht als genügende Rechtfertigung von Tänzen, Balletten, Lustspielen und Trinkgelagen der wildesten Art vorgelegt.*

Indeß, die „deutsche Schärer-Gemeinde“ ward nicht anerkannt. Es dauerte zwar volle vierundzwanzig Stunden, ehe die Geschwornen sich einigten. Dann aber lautete ihr Spruch auf Verwerfung dieses nichtigen Vorwandes und auf Verurtheilung dessen, der sich dahinter zu bergen gemeint hatte.

Noch schneller brach die Polizei den Troß der andern Sonntags-theater-Besitzer. Einige verloren ihre Lizenz, andere wurden wegen Verachtung des Gerichtshofes zu einer beträchtlichen Geldstrafe verurtheilt; mehrmals wurden die Schauspieler sogar mitten in ihrem Spiel, mit ihrem Theater-Kostüm angethan, verhaftet. Da verging ihnen endlich die Lust, ein so gefährliches Spiel noch länger fortzusetzen. Gegenwärtig spielt am Sonntag kein Theater mehr; manche, die früher am Sonntag spielten, sind gänzlich eingegangen, weil sie an diesem Tage ihre Haupteinnahme hatten. Wie groß dieselbe war, ergibt sich schon aus der Angabe eines dieser Theater-Besitzer, daß sein Verlust in sechs Monaten \$4000 betrage. An einigen Orten ist allerdings am Sonntag noch Musik, nebst Ausschinken von Bier und sonstigen Belustigungen. Doch ist zu hoffen, daß, wie das Ausschinken berauscher Getränke in den meisten Schenkkokalen am Sonntag aufgehört hat, ihm mit der Zeit auch an den ebengenannten Orten ein Ende gemacht werden wird.

Die vor bald zwei Jahren durchgeführte Schließung der Schenkkokale, sowie die erst in jüngerer Zeit unternommene Schließung der Theater am Sonntag hat in jeder Hinsicht eine höchst erfreuliche Veränderung zum Bessern herbeigeführt. In den achtzehn Monaten vom 1. August 1859 (an welchem Tage der Chef der Polizei, Herr Pillsbury, Befehl gab, die Schenken zu schließen,) bis zum 1. Februar 1861, wurden an allen Dienstagen zusammen 15,503 Verhaftungen vorgenommen, an allen Sonntagen zusammen nur 10,483. Dieser Unterschied ist um so beachtungswerther, als früher gerade das umgekehrte Verhältniß stattfand, indem am Sonntag um ein Drittel mehr Verhaftungen stattfanden als am Dienstag. Was diese entscheidenden Zahlen nur andeuten, wird Jeder noch deutlicher erkennen, der die jetzige

* Die „Shakers“ sind eine von den „Freunden“ oder Quäkern abgegangene Religionspartei, die in Ehelosigkeit und Gütergemeinschaft ein zurückgezogenes Leben führt. Ihren Namen haben sie davon, daß sie bei ihren Versammlungen häufig in eine schaukelnde und hüpfende Körperbewegung gerathen, die sich manchmal bis zu Sprünzen und Tänzen steigert, und nach ihrer Meinung der Ausdruck theils des Erztitterns vor dem Zorne Gottes, theils des Jubels über die Erlösung durch Christum sein soll.

Sonntagsstille unsrer Stadt mit dem früheren Lärm und Getümmel am Sonntag vergleicht.

Nicht nur alle Christen, sondern alle den Frieden und die Ordnung liebenden Bürger betrachten mit Recht diese Veränderung als eine höchst wohlthuende und erfreuliche. Ganz anders aber sehen die Freunde rauschender Vergnügungen am Sonntag, und allermeist diejenigen, die sich dadurch bereicherten, die Sache an. Wie schon erzählt, suchten sie anfangs zu bewirken, daß das Gesetz vom 17. April gar nicht erlassen werde; darnach wagten sie es ihm Trotz zu bieten, oder es zu umgehen. Als auch dieser letztere Versuch fehlgeschlug, boten sie Alles auf und setzten recht eigerlich Erde und Hölle in Bewegung, um die Wiederabschaffung des Gesetzes von Seiten der Legislatur zuwege zu bringen. Große Summen wurden zu diesem Zwecke verwendet, Bittschriften mit so vielen Unterschriften, als sich irgend aufreiben ließen, an die Legislatur gesandt, dazu Massen-Versammlungen veranstaltet, um Erklärungen gegen das so verhaßte Sonntagsgesetz zu erlassen.

Die bedeutendste dieser Massen-Versammlungen wurde am Sonntag den 3. März im deutschen „Stadt-Theater“ gehalten. Sie erklärte, das Sonntagsgesetz sei „ein dunkler Flecken in unsrer aufgeklärten Zeit, ein Hemmschuh des Fortschrittes, ein Ueberbleibsel aus düstern fanatischen Zeiten, ein Auswuchs intoleranten engherzigen Puritanismus, welcher auf ewig von den Blättern unsers Statuts ausgemerzt werden sollte, &c.“ Sie behauptete, daß „besagtes Gesetz die öffentliche Moral nicht allein nicht fördere, sondern eher geneigt sei, der Heuchelei und Unsitlichkeit Vorschub zu leisten.“ Einer der vornehmsten Redner meinte, in der Agitation gegen das Sonntagsgesetz sehe man den deutschen Geist gegenüber dem Geist eines intoleranten Pfaffenthums. Kurz, es wurden Behauptungen und Erklärungen in Menge aufgestellt, die eine Gegenklärung des bessergefinnten Theils der deutschen Bevölkerung dringend erheischten.*

* Nachstehendes sind die vollständigen Beschlüsse jener Anti-Sabbath-Versammlung vom 3. März. Nachdem ein langes „In Anbetracht der unveräußerlichen Rechte eines freien Volkes, auf gesetzlichem Wege Abhülfe für jeden ungesetzlichen Akt zu suchen,“ &c.—vorhergegangen ist, wird von der Versammlung

Beschlossen, daß wir besagtes Gesetz für unconstitutionell erklären, wie es bereits durch das Volk anderer Staaten geschehen ist, indem es die Religionsfreiheit beschneidet und uns die Surenmatie einer Religion aufdrängt, welche den ersten Tag der Woche geheiligt wissen will und sich Andersgläubige unterordnet, während durch die Constitution jeder Sekte gleiche Rechte gesichert sind;

Beschlossen, daß wir es auch in so fern für unconstitutionell erklären, als es die allgemeine Gewerbefreiheit beeinträchtigt, somit dem Geiste der Constitution zuwiderläuft und als ein Polizeidekret die großen Fundamentalgrundsätze verlegt, welche als Grundlage unseres großen nationalen Gesetzbuches dienen;

Beschlossen, daß wir besagtes Gesetz für eine Beeinträchtigung unserer heiligsten Rechte halten, als ein Gesetz, welches aus engherzigen Ansichten entsprungen, nicht die Billigung der Majorität des Volkes hat, welche dadurch gezwungen wird, sich unter das Joch einer intoleranten Minorität zu beugen;

Beschlossen, daß wir das Gesetz für unverträglich mit dem gesunden Menschenverstande halten, da es, was heute gesetzlich, morgen für ungesetzlich und übermorgen wieder für gesetzlich erklärt;

Beschlossen, daß wir besagtes Gesetz für ungerecht halten, weil es auf Kosten einiger Weniger, die sieben Tage zur Erholung haben, hunderttausenden von fleißigen Arbeitern die Mittel entzieht, den einzigen Tag zu ihrer Erholung benützen zu können und sich dadurch neue geistige Spannkraft zu sechstägiger harter Arbeit zu holen; deßhalb sei es schließlich

Beschlossen, daß wir hiermit den achtbaren gesetzgebenden Körper in Albany achtungsvollst, aber dringend angehen, Chap. 501 ter-Gesetze von 1860, betitelt: Ein Gesetz, den öffentlichen Frieden

2. Eröffnung der Versammlung.

Sonntag Abend, den 10. März, versammelten sich die Freunde des Sonntags, um ihre Ueberzeugung auszusprechen, daß nicht nur die amerikanischen, sondern auch die deutschen ordnungsliebenden Bürger die bestehenden Sonntagsgesetze nicht beklagen, sondern sich ihrer freuen und dringend wünschen, sie aufrecht erhalten zu sehen. Nur wenige Veranstaltungen waren getroffen, nur kurz zuvor war die Versammlung angekündigt; dennoch fand sich eine Menschenmenge ein, wie man selbst in der Weltstadt New-York sie nur selten beisammen sieht. Der "New-York Herald" schätzt ihre Zahl auf 3 bis 4000. Gewiß ist, daß die weite Halle des Cooper-Instituts, in welcher die Versammlung stattfand, an 2000 Sitze hat, und daß nicht nur diese alle besetzt waren, sondern viele hundert Menschen standen.

Wohl zu beachten ist, daß die ungeheure Mehrheit der Versammelten aus Deutschen und aus Freunden der stillen Sonntagsgfeier bestand, was sich bei der Abstimmung am Schluß auf's unzweideutigste herausstellte. Der Vorsitzer oder Präsident, sowie sämtliche Vicepräsidenten waren Deutsche. Auf der Plattform befanden sich die meisten deutschen Prediger New-York's, von fast allen kirchlichen Benennungen, nebst vielen angesehenen deutschen Kauf- und Geschäftsleuten. Es waren auch mehre christlich gesinnte Amerikaner zugegen, aber nicht sehr viele, weil die Abhaltung der Verhandlungen in einer ihnen unverständlichen Sprache die meisten zurückhielt.

Nachdem die wohlbesetzten Sängerschöre der lutherischen Gemeinde in der Walker-Straße und der reformirten Gemeinde in der Houston-Straße zu Anfang einige herrliche biblische Gesangstücke aufgeführt hatten, sprach Paster B u s c h e, Prediger an der deutsch-reformirten Gemeinde in der Suffolk-Straße, die Eröffnungsworte. Dann erscholl in großer Kraft und Fülle, aus dem Munde der ganzen Versammlung Luther's Kampf- und Siegeslied „Ein' feste Burg ist unser Gott!“ Paster J o s t, Prediger an der Methodisten-Gemeinde in der zweiten Straße, hielt jetzt das Eingangsgebet, worauf der Vorsitzer, Herr G u s t a v S c h w a b, folgende Anrede hielt.

3. Begrüßung und Bericht des Vorsitzers.

Manche unter euch, meine Freunde, haben wehl vor siebenzehn Monaten einer Versammlung in diesem Saal beigewohnt, und erinnern sich noch, wie eindringlich uns damals eine Sache ans Herz gelegt wurde, die jedem guten Christen, ja jedem guten Bürger theuer sein muß,—die Feier des Sonntags. Auch heute bringt uns diese Feier wieder zusammen, und indem ich euch im Namen der Veranstalter dieser Versammlung herzlich willkommen heiße, freue ich mich, aus eurem zahlreichen Erscheinen schließen zu dürfen, daß die Theilnahme hiefür bei unserer deutschen Bevölkerung nicht erloschen ist.

Ich leite unsere Verhandlungen damit ein, daß ich euch Bericht über dasjenige abstatte,

und die Ordnung am ersten Tage der Woche, gewöhnlich Sonntag genannt, zu erhalten; sowie Sektion 21, Chap. 569; Sect. 21 von Chap. 823 der Gesetze von 1857 und Sect. 42 der Abth. 259 der Gesetze von 1860, die sich auf den Verkauf von Liquor am ersten Tage der Woche, gewöhnlich genannt Sonntag, beziehen, welche Gesetze und Theile von Gesetzen als unverträglich mit unsern Rechten betrachtet werden—im Laufe dieser Sitzung zu widerrufen und daß wir unsere Vertreter in besagter Gesetzgebung hiermit auffordern, allen Grusses einen solchen Widerruf zu betreiben.

was in den verfloßenen siebenzehn Monaten in der Sache vorgefallen ist, und euch ihren gegenwärtigen Stand klar zu machen suche, woraus ihr dann den Zweck unserer Zusammenkunft ersehen werdet.

In den letzten fünfzehn Jahren war eine wesentliche Veränderung in der bürgerlichen Feier des Sonntags in unserer Stadt vorgegangen. Die gewohnte Stille, die bis dahin weniger durch die alten Gesetze, als durch die fest im amerikanischen Volke wurzelnde Sitte, aufrecht erhalten worden war, machte mehr und mehr einem lärmenden Treiben Platz. Ein großer Theil der Stadt wurde theils von den Geschäften der Woche, theils von geräuschvollen Belustigungen eingenommen, die Verbrechen am Sonntag nahmen in bedenklichem Maße zu, und der ganze Character des Tags drohte ein anderer zu werden.

Manche Versuche waren bereits gemacht, dem Verfall der Sitte Einhalt zu thun, waren aber gänzlich gescheitert, und viele Freunde des Sonntags gaben ihre Sache für verloren. Da trat im Jahr 1857 eine Anzahl amerikanischer Bürger, ausschließlich Laien, zu einem Verein zusammen, der unter dem Namen der New-Yorker Sabbath-Committee es sich zur Aufgabe machte, die bürgerliche Feier des Tages durch jedes gesetzliche Mittel wieder herzustellen und zu fördern. Sie stellten dabei den Grundsatz auf, daß die religiöse Feier nicht in ihren Bereich gehöre, sondern dem Gewissen des Einzelnen zu überlassen sei.

Der erste Versuch ihrer Thätigkeit war gegen den Straßen-Verkauf und das Ausrufen der Zeitungen gerichtet, welches ohne Hülfe der Gesetzgebung abgeschafft wurde. Hiedurch ermuthigt, wandte die Committee ihre Bemühungen gegen die fruchtbarste Quelle des Uebels, den Verkauf geistiger Getränke am Sonntag. Dieser war durch die Legislatur unseres Staats in dem sogenannten Liquor Law kurz zuvor verboten worden; die Polizei war jedoch zu schwach und hatte nicht den Willen, das Gesetz auszuführen; es blieb ein tochter Buchstabe. Erst als die Polizei im Sommer 1859 in die Hände der Police Commissioners überging und ein tüchtiger Superintendent aus Ruder kam, fing es an, Ernst damit zu werden.

Bald zeigte sich jedoch ein anderes Uebel, das den Tag der Ruhe in einen Tag der störenden Ausgelassenheit zu verkehren anfing—ich meine die Biergarten-Theater mit Hazardspielen und schlimmeren Zugaben, die ich hier nicht nennen will. Auch hiegegen wurde im April v. J. endlich von der Legislatur ein strenges Gesetz erlassen, und dadurch Polizei und Gerichte in den Stand gesetzt, mit Nachdruck gegen die Störer der öffentlichen Ruhe einzuschreiten. Zu ihrer Ehre sei es gesagt, daß sie dies gethan haben. In jedem der zahlreichen Prozesse, die anhängig gemacht wurden, ist ein Urtheil zu Gunsten der stillen Sonntagsfeier erfolgt, und wer sich noch nicht in sonstiger Weise von dem besser gewordenen Zustand überzeugt hat, der vergleiche nur die jetzige Zahl der Verhaftungen am Sonntag mit denen in früherer Zeit.

Wie aber zu erwarten war, sind die Feinde des stillen Sonntags nicht gefesselt, sie sind in den jetzigen Zustand zu fügen. Ein mächtiger Verein, dem es nicht an Geld und Einfluß fehlt, die bekannte Liquor Dealers' Association, arbeitet längst an einer Abschaffung jenes ersten Gesetzes, und die Theaterfreunde lassen es an Anstrengungen gegen das zweite nicht fehlen. Sie haben eine zahlreich unterschriebene Petition bei der Legislatur eingereicht, worin um Abschaffung jener Gesetze gebeten wird, und diese hat ihnen die Ehre angethan, die Sache an eine Committee zu verweisen, welche in Kurzem darüber zu berichten hat. Die Frage wird somit in wenigen Tagen vor die gesetzgebende Versammlung unseres Staats kommen: sollen die Gesetze, welche uns einen stillen Sonntag sichern, bestehen bleiben oder nicht? soll die Habsucht einer verhältnißmäßig kleinen Classe von Leuten, und einige tausend deutsche Stimmen bei der nächsten Wahl, mehr gelten als das materielle und geistige Wohl der ganzen Stadt, als die ererbte Sitte der ungeheuern Mehrzahl unserer amerikanischen Mitbürger, und, ich hoffe sagen zu dürfen, als die Stimme von Tausenden deutscher Landsleute, denen diese Sitte, wenn nicht von früher Kindheit an bekannt, doch durch vieljährige Erfahrung ihres Segens in Fleisch und Blut übergegangen ist?

Auf uns, meine theuern Landsleute, ruht hiebei eine große Verantwortung. Die Augen unsrer amerikanischen Mitbürger, die Augen der Legislatur sind auf uns gerichtet.

Die Deutschen, heißt es, wollen keine Sonntagsgesetze, sie wollen Theater und Wirthshäuser offen haben. Ich fordere euch daher auf: wenn euch das Wohl eurer Stadt, eurer Familien, wenn euch euer eigenes Wohl am Herzen liegt, so erhebet eure Stimme für euer Recht, und laßet eure Gesetzgeber und die Welt wissen, daß ihr verläumdert werden seid, wenn man euch nachsagt, ihr wäret Willens, die größte Wohlthat, die unser Staat vom Schöpfer der Welt und der Staaten empfangen hat, um gemeiner Lust willen zu verkaufen!

Ich würde am liebsten hier schließen, und die weitere Vertheidigung der Sonntagsfeier gegen Angriffe verschiedener Art den Männern überlassen, die des öffentlichen Redens gewohnt sind. Allein es ist wohl mit Recht der Wunsch ausgesprochen worden, daß in einer Sache, die uns als Bürger, als Steuerzahler, als Gatten und Väter ebenso wohl angeht, wie als Christen, auch die Stimme der Laien laut werden solle. Ich will daher noch auf die vornehmsten Einwendungen eingehen, welche die Gegner der Sonntagsfeier gegen die Sonntagsgesetze erheben.

Man wirft diesen Gesetzen zunächst vor, sie seien unconstitutionell, weil sie Religionszwang anlegen, während die Constitution des Staates New-York sowohl als der Vereinigten Staaten freie Ausübung jeder Religion sichere. Wenn hiermit gemeint ist, daß die Constitution uns kein Recht gebe, die mit der Befolgung der Sonntagsgesetze verbundenen Opfer von jedem Bürger zu verlangen, so antworten wir: allerdings giebt sie uns das Recht, wenn es nach der Meinung des Volks zum allgemeinen Besten dient! Die Constitution unseres Staates ist darüber durchaus nicht so zweideutig, wie unsere Gegner glauben machen wollen. Sie führen immer nur den Satz aus der Constitution an, der uns Gewissensfreiheit garantirt, sie sagen aber nichts davon, daß gleich hierauf der Satz folgt: „Aber die Gewissensfreiheit, welche hiemit gesichert wird, soll nicht so gebentet werden, als ob damit Sittenlosigkeit entschuldigt oder Gebräuche gerechtfertigt werden dürften, welche sich mit dem Frieden und der Sicherheit dieses Staats nicht vertragen.“

Unsere Gegner vergessen überhaupt, daß dieses Land von einem christlichen Volke colonisirt worden ist. Die Verfasser der Constitution der Verein. Staaten und aller Constitutionen des Staates New-York waren Christen; sie lebten unter unangefochtenen Sonntagsgesetzen; sie erkannten zwar keine einzelne christliche Kirche, wohl aber die christliche Religion überhaupt als die Grundlage ihres Staatsgebändes an, indem sie das englische Common Law, die christliche Ehe, den christlichen Eid adoptirten und die Eröffnung ihrer Versammlungen durch das Gebet christlicher Geistlicher bis auf den heutigen Tag fortpflanzten. Diese thatsächliche Erklärung ihrer Absicht muß billiger Weise schwerer wiegen, als eine Erklärung in Worten. Wenn sie eine solche, um jede Gefahr einer herrschenden Kirche zu vermeiden, nur andeutungsweise zu erkennen gaben, so ist es dennoch klar, daß sie nicht Raum für die Religion des damals noch ungeborenen freien Menschengeschlechtes lassen wollten, sondern einen christlichen Staat zu gründen meinten. Wie konnten sie überhaupt an einen religionslosen Staat denken, da ein solches Umding in der Welt noch nie da gewesen ist!

Damit treffen wir nun aber den Kern der Frage. Wenn die Angriffe gegen die bestehenden Gesetze, wie uns bereits angeündigt ist, aufs äußerste getrieben werden, so handelt es sich nicht mehr um ihre größere oder geringere Schärfe, um ihre Zweckmäßigkeit oder Unzweckmäßigkeit: es handelt sich vielmehr zuletzt darum, ob wir, auf der Grundlage der Constitution stehend, ein christliches Volk bleiben wollen oder nicht.

Ob diese Frage hier jemals praktisch bis auf diese Spitze getrieben werden wird, lasse ich unentschieden. Allein wer etwa meint, es handle sich bei den Sonntagsgesetzen um Neußerlichkeiten, um die sich ein Christ nicht zu kümmern brauche, der bedenke doch die Möglichkeit, daß es so weit kommen kann. Er finde sich daher nicht allein mit der Abschaffung der bürgerlichen Sonntagsfeier, sondern auch mit der Abschaffung der Ehe- und Eigenthums-Gesetze und der ganzen zehu Gebote zurecht, und frage sich, was für Grundlagen eines geordneten Staates alsdann noch übrig bleiben.

Ein anderer Einwand ist der, daß die Sonntagsgesetze eine Ungerechtigkeit gegen den fleißigen Arbeiter seien, weil sie ihn an seinem Erwerb hindern. Wer aber weiß nicht, daß hier in sechs Tagen mehr gearbeitet und mehr verdient wird, als in Europa in sieben

Tagen? Wenn wir nun aber nicht alle Gewerbe und Handthierungen am Sonntag treiben, und uns damit wider die Gesetze unserer physischen Natur veründigen und in einen wahren Geschäftswahn sinn versallen wollen, so ist es offenbar eine Ungerechtigkeit, wenn wir Wirthen und Schauspielern allein ein Privilegium geben, uns am Sonntag wie an allen übrigen Tagen auszubeuten.

Ich wende mich noch zu einer Einwendung anderer Art, welche ohne Zweifel schon manchem von Euch und in guter Meinung gemacht worden ist, nämlich zu der Vernunft auf euer deutsches Gemüth, dem eine finstere Anschauung der socialen Verhältnisse durchaus fremd sein müsse, weshalb auch die deutschen Kirchen ihre Disciplin nie in solchem Maß auf diesen Punkt ausgedehnt haben, wie die amerikanischen. Darauf will ich vorerst bemerken, daß ich Jedem einen heiteren und fröhlichen Sonntag gönne und wünsche. Kann er den nicht in der Kirche finden, so hat auch der Aermste hundert andere Mittel, um Körper und Geist zu erquickten. Ich leugne nur, daß er dazu Wirthshäuser und Theater oder sonst ein Mittel nöthig habe, was Andere in ihrer Art der Sonntagsfeier stört und Gewerbe ohne Noth in Bewegung setzt.

Im Uebrigen gebe ich gerne zu, daß in Folge der Entwicklung und Geschichte unseres Volks, wie der Erziehung jedes einzelnen Deutschen, unsere Anschauungen und Begriffe von bürgerlichen Pflichten verschieden sind und verschieden sein müssen von den Begriffen anderer Völker, wie der Engländer, Schotten und Amerikaner. Ich leugne ferner nicht, daß die nach innen gerichtete Frömmigkeit eines deutschen Christen von der nach außen strebenden eines Amerikaners leicht unterschätzt wird. Allein ich bin auch überzeugt, daß zwischen den Extremen auf beiden Seiten die große Mehrzahl sich über alle derartige Punkte verständigen kann. Und gewiß würde eine solche Verständigung, wozu euch hier die amerikanischen Brüder die Hände bieten, und ein aufrichtiges Zusammenwirken in solchen Fragen nur zum Heil unserer deutschen Kirchen ausschlagen.

Wir sind hier später eingezogen, als die Anglo-Amerikaner und können uns nicht mehr herausnehmen, den Institutionen des Landes ausschließlich unsern Charakter aufzudrücken. Der Anstand schon erfordert, daß wir uns in bestehende Ordnungen fügen, und nur wenn wir die offenbar guten Seiten des amerikanischen Geistes uns aneignen, können wir hoffen, auch unseren deutschen Geist sein Theil dazu beitragen zu lassen, daß eine zu Gottes Ehre gereichende neue Gestaltung aus diesem Völkergemisch hervorgehe.

Wenn aber die Landsleute, denen wir in diesem Kampfe als Gegner gegenüberstehen, uns vorwerfen, daß wir unsere deutsche Natur verleugnen, so widerspreche ich dem hiermit öffentlich. Ich leugne ganz und gar, daß der Geist, dem sie huldigen, der deutsche Geist sei. Ich weiß, es ist der Geist mancher Deutschen; aber der deutsche Geist, der unseres Volkes Größe und Ehre ist, der ist er nicht! Den Geist haben unsere Voretern Jahrhunderte lang in Zucht und erstem Sinn gefördert und gepflegt, und der Auf deutschen Fleißes, deutscher Kraft, deutscher Treue, deutscher Frömmigkeit, der uns, so Gott will, auch hier nicht verlassen soll, ist älter als der Geist der Zuchtlosigkeit, der vernünftige Geist, der erst in diesem Jahrhundert aufgestanden ist und sich an der Arbeit auf amerikanischem Boden, wie ich hoffe, die Zähne ausbrechen und endlich zur Besinnung kommen wird.

Während der vorstehenden Rede suchten etliche Gegner in allerlei Weise Störung zu erregen. Die Polizei that ihnen jedoch Einhalt, und die ungeheure Mehrzahl der Versammlung gab wiederholt ihre Zustimmung zu den Aeußerungen des Vorsitzers zu erkennen. Obwohl er jede Aeußerung dieser Art aus Bescheidenheit zu unterdrücken suchte, konnte er doch am Schluß, wo seine Worte so recht schlagend den Sinn und die Gefühle der Versammelten aussprachen, sie nicht verhindern, ihr Einverständnis mit ihm auf's bestimmteste an den Tag zu legen.

Es folgte jetzt eine längere Rede von Pastor Dr. C. F. C. Stohlmann, seit drei- undzwanzig Jahren Prediger an der lutherischen St. Matthäuskirche in der Walker-

Estrafe. Der nachstehende Auszug aus derselben enthält zwar nicht Alles, was darin Wichtiges und Werthvolles gesagt war, doch sind die vornehmsten Punkte wiedergegeben.

4. Rede von Pastor Dr. Stohmann.

Hochgeschätzte Versammlung!—Wir sind hier nicht zusammengekommen, Kirche zu halten; es ist eine Versammlung freier Bürger eines christlichen Staates. Als solche nehmen wir unser Recht in Anspruch. Der Gegenstand ist groß, ja so umfassend, daß es schwer ist, das Wichtigere herauszunehmen. Doch der Weg ist so eben durch die Anrede des Vorsitzers gebahnt. Ich nannte bereits unseren Staat einen christlichen; der Herr Versizer hat mit Recht dasselbe hervorgehoben. Da jedoch auf diesen Punkt Alles ankommt, so trete ich eigends mit der Frage unter euch: Ist unser Land ein christliches oder nicht?

Die Wichtigkeit dieser Frage muß jedem einleuchten. Sind die Vereinigten Staaten kein christliches Land, dann haben unsere Gegner Recht, und wir mögen zu Haus gehen. Ist dagegen unser Land ein christliches, so steht unsere Sache in jeder Hinsicht auf einem Fundamente, welches nimmermehr zusammenstürzen kann noch wird. Wollten unsere Gegner, die Feinde des Sonntags, sich nicht selbst verloren geben, so müssen sie die Richtigkeit dessen, was ich behaupte, leugnen. Das thun sie dann freilich kühn und feck. Sie haben den Muth, der, wäre er nicht ein grauenhafter, viele Christen beschämte, und stellen sich selbst als Atheisten hin. Die alte heidnische Götterlehre erzählt von Titanen, die den Himmel stürmen wollten. Aus dem Schooße der sogenannten Aufklärung scheinen ähnliche Titanen hervorgehn zu wollen. Sagen sie nicht selbst, sie wollten „nicht unter die Herrschaft einer bestimmten Religion geknechtet sein;“ sie wollten mit einem „amerikanisch-christlichen Gott“ nichts zu thun haben? Erklären sie sich nicht für Humanisten, die nur den Menscheng Geist zum Gott, und somit sich selbst zu ihrem elender kleinen Götzen machen? Ist unser Land nun kein christliches Land, so haben diese unsere humanistischen Mitbürger das volle Recht, hier der Altäre und Tempel ihrer eben genannten Götzen so viele und so wunderliche aufzurichten, wie sie nur Lust haben. Ist unser Land aber ein christliches, dann wird sich sein Volk solch' albernes und verderbliches Gebahren so wenig gefallen lassen, wie das Treiben der Mormonen, die bekanntlich etwas Aehnliches versuchten.

Hand in Hand mit dieser Schwärmerei einer verfinsterten Vernunft geht die Schwachheit vieler Bekenner Christi, die dem Obigen, ohne es zu wollen, fast beistimmen. Wo jene drohen, da seufzen sie: Sollte unser Land ein christliches sein? Ein Land mit solcher Corruption, ein Volk, das in solchen Massen den Mammon anbetet? Des war ein christliches, aber der Ruhm ist dahin!—Wir legen aber diesen Schwachen eine Gegenfrage vor, nämlich die: ist unser Land eine Republik? Republikaner sollten nicht Praesser und Verschwender sein, sondern mäßig und nüchtern; sollten nicht Tagediebe und Schelme sein, sondern redliche, treue Bürger, die das Wohl des Gemeinwesens suchen wie ihr eigenes. Unser Land aber hirt Praesser und Tagediebe in Menge, dazu Demagogen und geheime Absolutisten in seinem Schooße. Und dennoch weiß Jeder, daß es eine Republik ist, ein Freistaat, der sich selbst Gesetze giebt, und von selbstgewählten Obrigkeiten regiert wird. Mit gleichem Recht behaupten wir nun: unser Land, wenngleich viel unchristliches Wesen, ja sogar erklärter Atheismus, sich darin findet, ist dennoch ein christliches Land!

Unsere Gegner frage ich: Waren die ersten Gründer unseres Landes etwa Türken, Heiden, Mormonen—oder waren sie nicht Christen? Und unsere Constitution, ist sie nicht aus den Aesten des Baumes des Lebens hervorgewachsen, der da ist das Kreuz? In den Ländern, wo vor zweihundert Jahren das Blut und die Thränen so vieler Märtyrer flossen, in England, Holland, im Salzburgerischen, da keimten sie an's Licht, die ersten zarten Keime

des nun von Ratten benutzten Baumes unserer Freiheit. Und die Männer, die vor achtzig Jahren unserm Lande ein selbständiges Dasein erkämpften, und die, Washington voran, in ihrer Demuth gleich Bergen aus der Weltgeschichte hervorragen, waren sie etwa Humanisten? Ihre Werke bezeugen es, daß sie an keinen andern Gott, als an den Gott der Christen glaubten. Treu und lange hat ihr Geist das Volk getragen. Noch immer ruft es in seinen Repräsentanten, bei der Eröffnung jeder Sitzung, den Gott seiner Väter an—und glaubt nur, es wird das auch ferner thun! Noch immer bekennt es durch seinen Schwur auf die Bibel, mehr als irgend ein anderes christliches Volk, den Gott, den es geehrt haben will.

Es hat ein schönes Banner, unser Volk—leider! wer weiß, ob nicht bald zerrissen? Eine Fahne aber nenne ich, die wird mit Gott nimmer zerreißen. Wer sie nicht sehen will, der hört sie. Hunderttausend Glocken geben von Meer zu Meer das Zeichen, daß die Sonntagsfahne aufgezo-gen ist und das Rad der Weltgeschäfte stille steht. Jede dieser Glocken ist eine Zunge, welche laut verkündigt: Unser Land ist bei all seinen Mängeln und Sünden ein christliches Land!

Darum, amerikanisches Volk, halte was du hast, deinen Sonntag! Er ist der von Gott dir gegebene Ruhetag. Schon in der Schöpfung bildete Gott die Woche ab. Noch tiefer aber sollte diese Eintheilung und Heiligung der Zeit den Völkern des Erdfreies eingegrägt werden. In den zehn Geboten wurden Gedanken Gottes herniedergebracht und offenbart. Und von diesen wird weder das dritte, noch das vierte, fünfte, oder sechste Gebot durch jungamerikanische Hände ausgelöscht werden.

Endlich offenbarte sich der Allgegenwärtige in dem Fleisch gewordenen Wort. Da ging der Sonntag auf über der heidnischen Welt, der Tag der Auferstehung, der Tag der Freude im Herrn, das Abbild des Lebens in der Ewigkeit.

Der größte und demüthigte aller Deutschen aber, der Zerkrecher der Ketten alles wirklichen Pfaffen-thums, Martin Luther, schrieb der ganzen Welt die kürzeste und beste Erklärung davon: „Wir sollen Gott fürchten und lieben, daß wir die Predigt und sein Wort nicht verachten, sondern dasselbe heilig halten, gerne hören und lernen.“ Und unsre deutsche Sprache gab dem Tage den schönsten Namen. Sie nannte ihn Sonntag, das ist, Sonnentag.

Den an dem Tage geht noch stets eine neue Sonne auf, weit herrlicher und dauernder als das majestätische Gestirn, das den Tag macht. Wo sie aufgeht, da heißt es fort und fort: Es werde Licht! Vor zweitausend Jahren war Deutschland mit undurchdringlichen Wäldern und Sümpfen bedeckt. Noch wilder aber als in dem Lande sah es in den Herzen seiner heidnischen Einwohner aus. Wer war es, der das Opyerblut von ihren Händen wusch und ihre Herzen mit der Liebe Gottes erfüllte? Thaten das Druiden oder Rationalisten, oder gar atheistische Humanisten? Seit wann sandten die wohl Missionare aus?—Als aber Bonifacius und seine Gefährten sich aus Liebe zu Christo dem Tode weiheten, da ging der Same neuen Lebens auf.

Kann Jemand die Wirkungen des Lichtes beschreiben? Von eben solcher Art sind die erleuchtenden, erwärmenden Strahlen, die vom Sonntag ausgehen in die Herzen der Unruhigen, Trostlosen, Sterbenden, oder der Verzweifelnden.

Wenn kein Sonntag wäre!—Dann würde der Hochmuth im Herzen des ohnehin schon so stolzen Menschen bis zur Selbstvergötterung wachsen, wie einst bei den humanistischen Römern, oder heutzutage bei den Königen von Dahomey. Der Sonntag aber verhütet das, denn er beugt die Kniee der Herren wie der Sklaven vor dem Throne des allein mächtigen Gottes.

Unser Land ohne Sonntag!—Welch' entseflicher Gedanke! Eine Republik sollte dauern ohne den Tag, der im Stillen den Stolz untergräbt und bricht!

Wer die Engel nicht anerkennt, die an dem Tage zu Millionen ausfliegen und ungehörte Gespräche führen in den geheimsten Kammern der Herzen—wer die Gegengifte nicht spüren kann, welche das Evangelium unaufhörlich in die Fäulniß des Zeitgeistes ausgießt, der ist ärmer als arm! Wenn aber gar unsre Gegner behaupten,—und in der That, sie haben es gewagt!—ein stiller Sonntag „demoralisire“, so muß ihr Wort verhallen vor

dem Geheul verarmender Familien und dem Klirren der Ketten in Gefängnissen; denn solcher und ähnlicher Jammer, aus der Sonntagsentheiligung erwachsen, legt scharfes Gegenzeugniß ab.

Halte, was du hast, Volk von Amerika, deinen Sonntag! Er ist die Mauer um den schönsten Garten, ja, um das Paradies, soviel es sein kann, auf dem Dornackel dieser Welt! Laßt die Mauer einreißen, und ihr werdet sehen, wie die wilden Thiere einbrechen und die Blumen zerstampfen! Laßt den Tag der Erbauung zum Tage der Sinnelust werden, und unglückliche Eheleute, weikende Jünglinge und Jungfrauen, zu Sklaven erniedrigte Arbeiter werden zu spät den unerseßlichen Verlust beweinen.

Dem was ist der schönste Schmuck unsres großen Volkes? Seine Wälder, Aecker, Wiesen, seine Schiffe und Schätze, seine Verfassung? Wer wollte diese Segnungen Gottes nicht anerkennen? Und dennoch gibt es einen köstlicheren Schmuck. Unser Volk ist's, wenn es am Sonntag zu Millionen den lebendigen Gott anbetet!

Was nützen Constitutionen und Gesetze, und wären sie von Engeln gemacht, wenn den Herzen der Bürger die Kraft des Gehorsams fehlt? Da gleichen sie den Geweben der Spinne; Mücken werden darin gefangen, Wespen und Hornisse brechen durch. Das wußten die Väter dieses Volkes, die ersten Baumeister seiner Verfassung, wohl. Diese ehernen Männer, die alten Puritaner—oft, weil ja auch sie fehlende Menschen waren, wohl zu ehren und starr—verstanden das besser als ganze Schaaeren ihrer in Lüste verfinsterten, feilen Enkel. Darum bauten sie die Mauer um die Pflanzung Gottes, um den Sonntag, so stark und fest; denn sie erkannten, daß Demuth, Lauterkeit, Treue, Keuschheit, Unbeflecklichkeit nicht aus dem Fröhnen der Lüste wächst, noch aus dem tropigen Herzen, sondern nur aus dem lebendigen Glauben an den lebendigen Gott.

So gewiß die heidnischen Republiken der Vorzeit verfielen, sobald die „Furcht der Götter“ verschwand, so gewiß, und noch sicherer unsere christliche Republik, sobald sie das Christenthum verläßt. Eifert dagegen, soviel ihr wollt, es bleibt dennoch eine unumstößliche geschichtliche Thatsache: aus dem Schooße des Christenthums traten unsere Staaten an's Licht; der Christenglaube war ihre Wiege, ihre Nahrung und ihr Halt. Und unser Staatsschiff wird zerscheitern, sobald es in gotteslästerlichem Dünkel den Sonntag, das köstliche Erbe der Väter, über Bord wirft.

So rufe ich denn ganz getroßt: Haltet euren Sonntag, den amerikanischen Sonntag, grade wie er ist! Die Gegner schreien: Man will uns zum Beten zwingen; die Männer des Rückschritts möchten uns den alten jüdischen Sabbath aufbürden; ja, der Genuß der freien Luft ist verboten &c. Was sagt ihr dazu, Freunde? Manche von euch sind schon lange Jahre im Lande, die frage ich: habt ihr nur ein einziges Mal gehört, daß Jemand gezwungen wurde, zu beten oder in's Gotteshaus zu gehn? Trieb je die Polizei euch und eure Kinder aus Gottes freier Natur in's enge Haus? Und sahet ihr je Einen, der den Sonntag entheiligte, mit dem Tode bestraft? Auf der Schandung des alttestamentlichen Sabbath's aber stand ja Todesstrafe. (2 Mose 31, 14, 15.)

Zu welchen Waffen die Gegner doch greifen müssen! Man sieht, wie schwer es ist, eine schlechte Sache zu verteidigen. Dennoch darf ich die von solchen Waffen Besiegten, nicht ohne Weiteres verdammen. Ich bekenne frei, auch ich war einst besiegt. Als ich vor beinahe siebenundzwanzig Jahren mit den Meinigen in dem damals fernem Westen mich niederließ, da fiel auch mir der Tag wie erkältend auf's Herz. Einst sah ich, daß ein Knabe, der am Sonntag einige wilden Kirschen pflückte, von einem alten Puritaner deßhalb getadelt wurde. So freundlich der Tadel auch war, dennoch frostelte mich solch' gesetzliches Wesen an; ich sehnte mich, fast heimwehkrank, nach wärmerer Luft! Allein—der alte Puritaner ist kürzlich zur Ruhe eingegangen, nachdem er ein jugendlich frohes Herz bis zum Tode bewahrt hatte. Und der Knabe? Er merkte sich die Lehre, und gewiß, sie hat ihm weder an seiner Gesundheit, noch seiner Habe, noch sonstwie geschadet.

Vor Kurzem sagte ein armer Arbeitsmann: Blauer Montag paßt nicht für Amerika. Widerlegt den Mann, ihr Gegner! Glaubt nur, ihrer sind viele, die so denken. Unser Land ist, das kann nicht genug gesagt werden, eine Republik. Herrscht in einer solchen nicht ein gewisser Spartanismus, so geräth sie in Fäulniß. In Wien und Paris mag

man am Sonntag singen und springen und klingen. Im nüchternen Amerika nimmt sich das schlecht aus, und bringt noch schlechtere Frucht. In einer Monarchie hält der Thron das Schiff über'm Wasser; in einer Republik muß jeder Bürger mit darüber wachen, daß der Sturm das Schiff nicht zerschelle, noch Feuer plöglich ansbreche und es verheeere. Wehe dem Lande mit unserer Verfassung, wenn seine Bürger aus Bummelern bestehn oder aus Leuten, die keinen Halt in Gott haben! Wenn die Unterthanen eines Despoten am Tage des Herrn den Schweiß der Woche vergeuden, so wird ihrem Herrscher das Regieren wohl um so leichter; hier, am Stimmkasten, wird es unmöglich! Das wißt ihr Gegner so gut, wie wir.

So rufe ich denn endlich: laßt uns den Tag halten, grade wie wir ihn haben, und wir Deutsche voran! Oder warum sollten wir das nicht? Wir Deutsche sind nicht Landesverräther! Nein, wir wollen die aufopferndsten Freunde unsres Adoptiv-Vaterlandes sein und bleiben. Nicht ein atheistisches Volk ist das unsrige! Nein, das war es nimmer, und das soll und wird es nimmer werden. Die Kinder unsers Vaterlandes haben tausendfachen Segen mit herüber gebracht. Verhehlen wir es uns jedoch nicht: in diese n Stücke haben sie manches Mergerniß erregt. Das sollte in einer Sache, die so wesentlich zum Heil des Landes gereicht, nimmer so fortgehn. Darum laßt uns auch hierin voranschreiten! Wir Deutsche wollen nicht zurück in Barbarei; wir wollen Fortschritt. Aber dringen wir zum wahren Licht!

Darum voran, im Guten voran! Und nicht etwa nur die Diener der Kirche sollen voran. Ihr deutschen Kauf- und Geschäftsleute, helfet uns, unser geliebtes Volk durch das Evangelium zu heben! Ihr Aerzte, wirket mit uns dahin, daß unser Volk hier nicht nach Leib und Seele zu Grunde gehe, sondern erstarke! Ihr Redaktoren der deutschen Zeitungen, ihr bildet eine Macht, die entweder zur furchtbarsten Zerstörung oder zum reichsten Segen wirkt. Warum schmäht ihr so oft, ohne Ausnahme, die Diener des Evangeliums, das ja der Welt das erhaltende Salz war—wie ihr aus der Geschichte gut genug wißt, besser als die, welche ihr belehrt!

Ihr Väter und Mütter aber, helft ihr uns nicht, seid ihr lässig, so werden eure Kinder mit schweren Zinsen für eure Sünden zahlen! Lehrt ihr sie hingegen durch euer Wort und Vorbild den Sonntag so recht als einen Sonntag betrachten, so wird das Licht, das ihnen an diesem Tage aufging, ihnen auch dann leuchten, wenn die letzte Nacht dunkel vor ihnen liegt, daß sie freudig in das Lied des Gerechten einstimmen: „Ich weiß, daß mein Erlöser lebt!“

Die Versammlung stimmte nunmehr die folgenden schönen Verse an, nach der Melodie: Wachtet auf, ruft uns die Stimme.

Gottes Stadt steht fest gegründet
Auf heil'gen Bergen; es verbündet
Sich wider sie die ganze Welt;
Dennoch steht sie und wird stehen,
Man wird mit Stauern an ihr sehen,
Wer hier die Hnt und Wache hält.
Der Hüter Israel's
Ist ihres Heiles Fels. Hallelujah!
Lebhaft und spricht: Wohl dem Geschlecht,
Das in ihr hat das Bürgerrecht!

Zion's Thore liebt vor allen
Der Herr mit gnäd'gem Wohlgefallen,
Macht ihre Thore stark und fest;
Segnet, die darinnen wohnen,
Weiß überschwänglich dem zu lohnen,
Der ihn nur thut und wachen läßt.
Wie groß ist seine Huld!
Wie trägt er mit Geduld All die Seinen!
O Gottes Stadt, Du reiche Stadt,
Die solchen Herrn und König hat!

Hierauf hielt der Sekretär der New-Yorker Sabbath-Committee, Prediger R. S. Cook, in englischer Sprache eine Ansprache, von der wir hier nur den Hauptinhalt wiedergeben.

5. Ansprache des Sekretärs der Sabbath-Committee.

Eine innige Freude erfüllte mich, als ich eben dem tausendstimmigen Gesange lauschte, in welchem diese ansehnliche Versammlung—die größte, die je zu Gunsten des Sabbath's gehalten ward—ihre Gefühle kund gab. Ich wünschte nur, daß alle amerikanischen Chri-

ßen zugegen sein könnten und selber sähen, wie groß die Zahl ihrer deutschen Mitbürger ist, die den Sabbath werth und theuer achten und seine Erhaltung so entschieden begehren! Und möchten sie auch alle den vollen deutschen Choralgesang erschallen hören und von den Deutschen, gleichwie manches Andere, so insbesondere das lernen, vereint mit Einem Munde Gott zu lobsingen! Ich fühle mich dadurch nach Deutschland zurückversetzt, wo ich im Herbst 1853 dem Kirchentag in Berlin beizwohnte. Einen tiefen und erhebenden Eindruck machte es auf mich, als ich dort die versammelte Menge von Predigern und Laien in der Domkirche die herrlichen deutschen Choräle singen hörte, und der König und die Königin, das Gesangbuch in der Hand, darin einstimmten gleich allen Uebrigen. Ja, so sollte es aller Orten sein!

Ich fühle mich der mit Anordnung dieser Versammlung betrauten Committee für ihre Einladung, hier eine Ansprache zu halten, zu herzlichem Danke verbunden. Was ich, als Sekretär der Sabbath-Committee, vor Allem anzusprechen wünsche, ist, daß diese Committee durchaus nicht darauf ausgeht, wie man in gesüßlicher und beharlicher Mißdeutung ihr zur Last legt, die religiöse oder kirchliche Feier des Sonntags zu erzwingen. Nein! die muß dem Gewissen eines Jeden, seiner eigenen Ueberzeugung und freier Wahl überlassen sein. Bloß die bürgerliche Feier des Sonntags, die Ruhe von Arbeit und Geschäft, trachten wir wiederherzustellen und zu behaupten.

Leer und nichtig ist daher all' das Geschrei in Zeitungen und öffentlichen Reden, als seien die Religionsfreiheit und die sonstigen Rechte freier Bürger bedroht, als werde durch die bestehenden Sonntagsgesetze ein jüdischer oder puritanischer Sabbath eingeführt! Daß unsere Gegner selbst dieß nicht glauben, geht aus' s deutlichste aus ihrer gegenwärtigen Position an die gesetzgebende Versammlung unfres Staats hervor. Denn was fordern sie darin? Bloß die Abschaffung derjenigen Gesetzesbestimmungen, welche den Sonntagshandel mit berauschenden Getränken und die Sonntagstheater verbieten. Da zeigt sich's also, daß sie nicht ihr Gewissen, sondern ihren Geldbeutel beeinträchtigt glauben! Denn daß im Uebrigen der Sonntag festbesteht, daß alle sonstigen Gewerbe ruhen, ist ihnen schon recht: nur daß ihnen ein Monopol zugestanden wird, das Geld aus den Taschen der Arbeiter, die gerade an diesem Tage durch den Schweiß der Wosche gefüllt sind, in ihren Beutel herüberzuschaffen.

Man hat die Zahl der Unterschriften, die unter der erwähnten Petition stehen, auf 25,000 ausgefchrieben. Allein die Zahl, welche in der Petition selbst als angebliches Resultat der Summirung der einzelnen Bogen steht, ist 9,784. Noch mehr schwand die Zahl zusammen, als man sich die Mühe gab, die Unterschriften sorgfältig nachzuzählen: derselben sind nämlich nur 7,763. Und auch von dieser Zahl sind, wie ich mich persönlich überzeugt habe, mehrmals eine Menge von Namen mit Einer Hand und Einer Feder geschrieben. Bei 881 dieser Namen gab ich mir die Mühe, sie im Adressbuch nachzuschlagen: 61 davon waren unlesbar, 601 waren im Adressbuch nicht zu finden, und von den übrigen 219 waren 94 die Namen von Wirthen, Branntweinhändlern, Cigarrenhändlern u. c. also von Leuten, die ihr pekuniäres Interesse zu diesem Schritte treibt.

Ich kann nicht glauben, daß die Legislatur eine Petition, die einen so schlechten Zweck durch so schlechte Mittel zu erreichen sucht, berücksichtigen wird. Und das um so weniger, als die gegenwärtige imposante Gegendemonstration den schlagenden Beweis liefert, daß nicht nur die ganze anglo-amerikanische Bevölkerung (mit Ausnahme einer unbedeutend kleinen Minorität), sondern auch ein sehr großer Theil unserer deutschen Bürger für den Sonntag einsteht.

Der Prediger A. K a u s c h e n b u s c h, früher Redaktor des „Amerikanischen Botschafters“, gegenwärtig Professor am theologischen Seminar zu Rochester, N.:Y., hielt nunmehr folgende Rede, welcher die Versammlung mit großer Aufmerksamkeit, bei fast ununterbrochener Stille, lauschte.

6. Rede von Professor A. Kaufmannbusch.

I.

Geehrte Anwesende! Als ich heute Abend mich hieher begab und zu diesem Zwecke die Straßen eurer Weltstadt durchwanderte, war es mir hocherfreulich, die Stille wahrzunehmen, die überall waltete. Vor etlichen Jahren war das anders: da sah man zahllose Trinkkläden und Schenken offen stehen und große Menschenmassen auf und niederwogen, größtentheils auf dem Wege zu diesen Stätten begriffen. Ich überzeugte mich also, daß eine gewaltige Veränderung zum Bessern hier stattgefunden hat, und dazu wünsche ich Euch von Herzen Glück und rufe euch zu: Was ihr errungen habt, das behaltet und laßt es euch von Niemanden wieder nehmen!

Als ich, auf dem Wege hieher, an das Geräusch und Getümmel dachte, das alle sechs Werkstage hindurch in euren Straßen herrscht, am Sonntag aber dieser friedlichen, feierlichen Stille weichen muß, da sprach ich bei mir selber: Wahrlich, man braucht nicht einmal Christ, man braucht nur Mensch zu sein, um hievon einen wohlthätigen Eindruck zu empfangen! Wohl ist der Unternehmungsggeist, der für Handel und Gewerbe stets neue Wege sucht und die bereits aufgefundenen sorgsam benützt, ein unerläßliches Erforderniß zum Gedeihen eines Volkes. Aber wenn das menschliche Leben nur Geschäftsleben und nichts Anderes wäre, wie trostlos würde es sich dann gestalten! Der Mensch würde dann zu einer Maschine werden, der ungebildete zu einer grabenden, hackenden, hämmernenden, klopfnenden—der gebildete zu einer schreibenden, zählenden und rechnenden Maschine! Nein, des Menschen Herz und Leben hat noch andere Seiten als die Neigung zur Geschäftsthätigkeit. Um nur eine zu nennen, da ist das Bedürfniß des Familienlebens und häuslichen Glückes. Und wann könnte Jeder, allermeist aber der Arbeiter, dies Bedürfniß zugleich so andauernd und so schön befriedigen als am Sonntag, wo er ungestört Stunden lang im Kreise der Seinigen zubringen, seine Kinder bilden und erziehen und sich an ihrer Liebe erfreuen kann! Solche Freuden sind allerdings stiller und ruhiger als die rauschenden Vergnügungen, durch die so Manche am Sonntag die Geschäftsunruhe der Werkstage unterbrechen möchten. Aber während rauschende Vergnügungen am Ende bloß aufzuregen und anstrengen, somit nicht Erholung, sondern erhöhte Erschöpfung herbeiführen, gewähren die stillen Freuden des Familienlebens einen nicht nur reinen, sondern auch nachhaltigen Genuß, dessen wohlthätige Wirkung weit in die folgenden Tage hinüber reicht. Gewiß, wenn ein stiller Sonntag keine anderen guten Folgen hätte, als die, den Menschen sich selbst und den Seinigen wiederzugeben, so wäre schon das etwas Großes und Wichtiges.

Auf diese Erfahrungssache gestützt, habe ich mit großer Verwunderung gelesen, daß die Gegner einer stillen Sonntagsfeier in dieser Stadt das Sonntagsgesetz als ein solches angreifen, das „Hunderttausenden von fleißigen Arbeitern die Mittel entziehe, den einzigen Tag zu ihrer Erholung benutzen zu können und sich dadurch neue Spannkraft zu sechstägiger harter Arbeit zu holen.“ Wahrlich, diese Leute müssen eine große innere Leere und einen kläglichen Begriff von der Würde des Menschen haben, wenn sie sonst nichts wissen, wodurch der Mensch sich neue Spannkraft holen kann, als Trunk, Tanz und Spiel! Da ist Einer ja in steter Abhängigkeit von künstlichen Mitteln, und lernt nimmer selbstständig zu werden und in seinem eigenen Herzen und Hause sich einen Freudenquell zu schaffen, zu dem ihm der Zugang jederzeit offen steht!

Nicht minder befremdlich finde ich es, daß diese Herrn behaupten, in der Agitation gegen das Sonntagsgesetz mache der deutsche Geist sich geltend, der Geist eines Kant, Fichte, Schiller, Goethe, Lessing, Herder, Börne und Heine. Es verräth schon eine schlechte Kenntniß der deutschen Literatur, wenn Jemand den edeln Herder, der so warm von Jesu, dem Heiland der Menschen, geredet hat, mit dem leichtfertigen Heine zusammenstellen kann, wiewohl selbst Heine in seinen letzten Lebensjahren ausdrücklich dem Pantheismus und Atheismus abgefragt und sich zu dem Glauben an einen persönlichen Gott bekannt hat. Doch, abgesehen hiervon, erkläre ich es für eine ganz falsche Auffassung der

Sache, den Sonntag als etwas dem deutschen Gemüthe, dem deutschen Volksleben und der deutschen Literatur Fremdes anzusehen. Ich verweise unsere Gegner auf die schöne Stelle in Göthe's Faust, wo in der Mitternacht Faust, am Leben verzweifeln, sich den Tod geben will, plötzlich aber vom Kirchturm herab den Mittergesang hört, sich auf die frühere glückliche Zeit zurückbesinnt, da er noch glauben und sich freuen konnte, und hierauf von seinem Vorhaben absteht. Wie ergreifend sagt Faust da :

Was sucht ihr, mächtig und gelind,
Ihr Himmelstöne, mich am Staube?
Klingt dort umher, wo weiche Menschen sind!
Die Botschaft hör' ich wohl—allein mir fehlt der Glaube.
Das Wunder ist des Glaubens liebstes Kind;
Zu jenen Sphären wag' ich nicht zu streben,
Und doch, an diesen Klang von Jugend auf gewöhnt,
Ruft er auch jetzt zurück mich in das Leben.
Sonst stürzte sich der Himmelsliebe Kuß
Auf mich herab in ernster Sabbathstille,
Da klang so ahnungsvoll des Glockentones Fülle,
Und ein Gebet war brünstiger Genuß;
Ein unbegreiflich holdes Sehnen
Trieb mich, durch Wald und Wiesen hinzugehn,
Und unter tausend heißen Thränen
Fühlt' ich mir eine Welt entstehn.

Ein ganzes Gedicht über den Sonntag besitzen wir von Max von Schenkendorf, dem mit Recht gefeierten Vaterlands- und Freiheits-Sänger, der den großen Kampf der Jahre 1813 und 1815 zugleich mit Schwert und Gesang mitkämpfte. Das Gedicht beginnt :

Gottesstille, Sonntagsfrühe,
Ruhe, die der Herr gebot!
Meine Seele wach' und glühe
Mit im hellen Morgenroth!
Könnst' ich in dem Zimmer bleiben,
Wenn das Volk zur Kirche wallt?
Könnst' ich Alltagswerke treiben,
Wenn der Glockenruf erschallt?

Soll ich auch noch des „Schäfers Sonntagslied“ von Uhland, dem größten jetzt lebenden deutschen Dichter, anführen, das aller Orten von Einzelnen, wie von ganzen Kreisen von Sängern gesungen wird? Es lautet :

Das ist der Tag des Herrn!
Ich bin allein auf weiter Flur,
Noch Eine Morgenglocke nur,
Nun Stille nah und fern.
Anbetend knie' ich hier—
O süßes Graun, geheimes Weh'n,
Als knieten Viele ungesch'n
Und beteten mit mir!
Der Himmel nah und fern,
Er ist so klar und feierlich,
So ganz als wollt' er öffnen sich—
Das ist der Tag des Herrn!

Noch einen Dichter der Neuzeit nenne ich euch, Hoffmann von Fallersleben! In sei-

nem anmuthigen Liede „Der Sonntag ist gekommen“ beschreibt er, wie der Sonntag segnend umhergeht:

Er steigt auf die Berge,
 Er wandelt durch das Thal,
 Er ladet zum Gebete
 Die Menschen allzumal.
 Und wie er Allen Freude
 Und Friede bringt und Ruh',
 So ruf' auch du nun jedem
 „Gott grüß' dich!“ freundlich zu.

So zieht sich die Liebe zum Sonntag wie ein goldner Faden durch unsre weltlichen Dichter. Wie vielmehr noch durch die geistlichen Lieder und durch das ganze Leben des deutschen Volkes! Daß das Treiben unsrer Gegner ein unchristliches ist, haben sie selbst kein Hehl. Ich behaupte aber, es ist auch ein und e n t s c h e s Treiben.

Man wolle ihnen mit dem stillen Sonntag „einen christlich amerikanischen Gott“ aufzwingen, behaupten unsre Gegner. Wahrlich, ich habe nicht erst in Amerika einen stillen Sonntag kennen und lieben gelernt, sondern schon als Kind in meinem Heimaththal im deutschen Vaterlande! Und doch bin ich nicht etwa in einem abgelegenen Dörflein geboren und erzogen, sondern in jener gewerb- und volkreichen Gebirgsgegend im südlichen Westphalen, in der Eisenwaaren und Geräthe aller Art gefertigt und in Menge selbst bis hieher versandt werden. Wenn ich dort die zahllosen Eisenhämmer und Fabriken, worin sonst den ganzen Tag und zum Theil die ganze Nacht hindurch fortwährend geschmiedet und gehämmert wurde, an jedem Sonntag, den Gott werden ließ, still stehen sah, so freute ich mich schon als Knabe mit dem schwer angestregten Arbeiter der Ruhe, die ihm dieser Tag gewährte. Und wenn ich Schaaren festlich gekleideter, froher Menschen am Sonntag zur Kirche ziehen sah, die Kinder an der Hand ihrer Väter, von denen sie oft die ganze Woche hindurch getrennt gewesen waren, so durchdrang mich eine tiefe Empfindung davon, daß Gottes Gebote auch unser irdisches Leben nicht beengen, sondern erweitern und verschönern, ja daß diese Gebote nichts wollen als unser eigenes Wohl und Glück.

In derselben Weise habe ich eine stille Sonntagsfeier später im schönen Schwabenlande und in anderen Gegenden Deutschlands angetroffen. Und blicke ich in die deutsche Geschichte hinein, so finde ich, daß nicht nur die Sitte unseres Volkes den Tag des Herrn so geehrt hat, sondern daß auch Sonntagsgesetze zum Theil mit sehr strengen Bestimmungen in Deutschland bestanden haben. Sind dieselben jetzt an vielen Orten verschwunden, so ist das großentheils eine Folge des Eindringens französischen Sinnes und Wesens, wodurch der deutschen Eitteneinfalt, Redlichkeit und Vaterlandsliebe ebenso schwerer Abbruch geschehen ist wie der deutschen Gottesfurcht und Sonntagsfeier. In dieser Hinsicht müssen wir Deutsche unserm stammverwandten Nachbarvolk, den Engländern, jedenfalls den Vorzug zugestehen, daß sie mit größerer Festigkeit, oder wenn man will, Zähigkeit, das Gute bewahren, was sie einmal haben. Wie aber das deutsche Volk das ihm abhanden gekommene altgermanische Institut der Schwurgerichte wieder eingeführt hat, das in England sich stets erhalten hatte, warum sollten nicht in ähnlicher Weise wir Deutsche von den Engländern und Anglo-Amerikanern ihre Sonntagsgesetze herübernehmen? Den Sonntag selbst haben wir längst gehabt und haben ihn nie verloren. Nur die Schutzwehr um den Sonntag her, welche diese göttliche Gabe gegen menschliche Entweihung sichert, hat gefehlt. Das Bedürfniß, sie zu erneuern, fühlt man gegenwärtig in Deutschland sehr lebhaft. Als ich nach vieljähriger Abwesenheit im vorigen Sommer mein altes Vaterland wieder sah, war es mir eine große Freude, von allerlei Einrichtungen zu hören und theilweise mich durch den Augenschein davon zu überzeugen, die behufs allgemeiner und strengerer Sonntagsheiligung getroffen sind.

II.

Doch ich wende mich zu einer andern Seite der Sonntagsfrage. Man hat mich ersucht, vornehmlich den von meinem Vorredner bereits angebotenen Unterschied zwischen dem

bürgerlichen und dem christlichen Sabbath darzulegen. Diesen Unterschied gehörig zu begründen, erscheint mir in der That als sehr wichtig. Denn nicht nur wird beides von unsern Gegnern fortwährend verwechselt und in Folge dessen die Anwendung von Gewissenszwang uns zur Last gelegt; sondern es giebt auch manche Christen, die, diesen Unterschied verkennend, alle Sonntagsgesetze als dem Evangelium widersprechend betrachten. Sehn wir zu, ob dem wirklich so ist!

Von jeher hat man in der christlichen Glaubenslehre zwischen dem Reich der Natur und dem Reich der Gnade unterschieden. Beide stehn unter der königlichen Herrschaft Gottes in Christo; aber im Reich der Natur waltet seine Allmacht, Weisheit und Güte, nur im Reich der Gnade offenbart sich seine erlösende Liebe. Die Christen gehören beiden Reichern an, dem Reich der Natur in Gemeinschaft mit allen Menschen, dem Reich der Gnade in Folge der Wiedergeburt und im Verein mit andern Wiedergeborenen.

Die Ordnungen dieser beiden Reiche sind ganz ungleicher Art. Die des Naturreiches stammen aus unserm Aller ursprünglicher Heimath, aus Eden her. Dort gab der Schöpfer unserm Geschlecht die Aufgabe, die Erde zu bauen und zu bewahren und über die Thierwelt zu herrschen. Und bis auf den heutigen Tag ist dies des Menschen Loos und Bestimmung, nur daß sich seit dem Sündenfall die ursprünglich mit Lust und Freude geübte Thätigkeit in Arbeit und Mühe, oft im Schweiß des Angesichts verrichtet, verwandelt hat. Ebenso ward die Ehe und das Familienleben schon im Unschulds- oder Urzustande der Menschen eingesetzt. Noch jetzt wie dazumal ist das Weib des Mannes Gehülfin, und das alte Gotteswort ist unverändert in Kraft geblieben: „Darum wird ein Mann Vater und Mutter verlassen und an seinem Weibe hängen.“ In gleicher Weise gehört nun auch der Sabbath zu den uranfänglichen Ordnungen Gottes. Er stammt nicht vom Sinai, sondern aus Eden, und ward nicht für das Volk Israel allein, sondern für die ganze Menschheit gestiftet, als Gott am siebenten Tage ruhte von allen Werken, die Er gemacht hatte.

Andero hingegen verhält es sich mit den Ordnungen des Gnadenreichs. Nicht vom Schöpfer, sondern vom Erlöser der Menschheit rühren sie her. Nicht Eden, sondern Golgatha ist ihr Ausgangspunkt und ihr Ziel. Im Blick auf das dort gebrachte große Opfer gebot Christus seinen Jüngern, Sinnesänderung und Vergebung der Sünden zu predigen unter allen Völkern, und setzte das christliche Predigtamt ein, nebst der heiligen Taufe und dem heiligen Abendmahl. Nur für diejenigen, die Ihm als ihrem Herrn und Heiland anhangen wollen, sind diese Ordnungen bestimmt. Nur an einem Volk, das Ihm willig dient, hat Christus Wohlgefallen. Und so oft und so viel auch untreue Gegner uns beschuldigen, als wollten wir die Leute zum Kirchengehn und zum Christenthum überhaupt mit Gewalt zwingen, wir rufen ihnen entgegen: Es ist nicht wahr, was ihr uns nachsagt! Auch wenn wir es könnten, wollten wir das nicht!

Das Christenthum hat jedoch nicht bloß ganz neue, zuvor nie dagewesene Ordnungen in's Leben gerufen: es hat zugleich jene alten, uranfänglichen Ordnungen Gottes in verjüngter Gestalt, in neuer Weihe und Würde wiederhergestellt. Die Ehe z. B. war bei den meisten Völkern entweder in Vielweiberei ansgestaltet, oder in einem wilden, ungeordneten, nach Belieben plötzlich gelösten Zusammenleben beider Geschlechter untergegangen. Christus aber sprach das große Wort: „Was Gott zusammengefügt hat, das soll der Mensch nicht scheiden!“ Seine Apostel lehrten, die christliche Ehe sei ein Abbild des Bundes zwischen Christus und der Gemeinde. Dadurch ward die Ehe als bleibende Verbindung eines Mannes mit einem Weibe auf feste Grundlagen gestellt, und das schnell aufstammende, aber auch schnell wieder erlöschende Naturfeuer, das sonst die Ehegatten zusammengeführt, ward durch die reine Gluth der christlichen Liebe geläutert und geheiligt. Ebenso war der Sabbath im Heidenthum den Menschen abhanden gekommen. Während bei den alten Völkern des Morgenlandes sich noch deutliche Spuren der Wocheneintheilung finden, verschwinden dieselben in späterer Zeit mehr und mehr. Das Christenthum aber hat dieser alten Naturordnung Gottes eine neue Bedeutung, und damit zugleich neue Lebenskraft gegeben. Christus hat am siebenten Tage im Grabe geruht und ist darauf am ersten Tage aus dem Grabe wieder auferstanden. Auf Grund hiervon betrachteten die ersten Christen, nach Anleitung und

Vergang der Apostel, den alttestamentlichen Sabbath als in den neutestamentlichen aufgegeben. Statt des letzten Wochentages, an dem das Werk der Schöpfung vollendet war, feierten sie nunmehr den ersten Wochentag als den Vollendungstag des noch größeren Werkes der Erlösung. Gottes altes Gebot, von je sieben Tagen einen als Ruhetag zu feiern, tritt hierdurch wieder in Kraft, doch so, daß der Ruhetag nicht bloß zu leiblicher Ruhe, sondern als der Tag des Herrn zugleich zum gemeinsamen christlichen Gottesdienste angewendet wird.

Zwischen den Ordnungen des Gnadenreiches und den, durch Christus wiederhergestellten uranfänglichen Ordnungen Gottes besteht nun der folgende, wohl zu beachtende Unterschied. In das Gnadenreich einzugehn, Christi Wort im Glauben anzunehmen, Taufe und Abendmahl seiner Abücht und seinem Sinne gemäß zu feiern, dazu entschließen sich die Menschen nur langsam und nach vielem Widerstreben. Täuschen wir uns hierüber nicht! Wenn es sich um wahre Bekehrung, um Hingebung des Herzens an den Heiland handelt, so haben wir die Mehrheit nicht auf unsrer Seite. Dagegen aber, wenn es sich darum handelt, ob Arbeit und Eigenthum, ob Ehe und Familienleben, ob der christliche Sabbath und Gottesdienst anerkannt werden und gelten soll, so begreift die große Mehrzahl der Menschen bald, daß diese Einrichtungen höchst wohlthätig, ja zu einem gedeihlichen Bestande der menschlichen Gesellschaft unentbehrlich sind. Wenn daher die Gegner des Christenthums soweit gehn, daß sie das Eigenthum in kommunistischer oder socialistischer Weise aufheben, anstatt der Ehe die sogenannte „freie Liebe“ und anstatt des christlichen Ruhetags einen in wüstem Sinnenrausch verlebten Vergnügungstag einführen wollen, so sind bei solchem Streben nicht wir, sondern sie in der Minderheit, und alle ihre darauf gerichteten Anschläge werden kläglich zu Schanden.

Wenn nun die Obrigkeit, sich stützend auf die willige Anerkennung der durch das Christenthum wiederhergestellten Naturordnungen Gottes seitens der großen Mehrheit der Bürger, den Wünschen und Bestrebungen der entschiedenen Feinde des Christenthums entgegentritt und für das Eigenthum, die Ehe und den Sonntag einsteht, so thut sie das mit vollem gutem Rechte. Und wenn sie uns in unsrer Eigenschaft nicht als christliche Gemeindeglieder, sondern als christlich gesinnte Staatsbürger veranlaßt, unsre Willensmeinung hierüber auszusprechen, so haben wir nicht nur das Recht, sondern auch die Pflicht, von ihr zu begehren, daß nicht mohammedanische oder mormonische Vielweiberei, sondern die christliche Ehe, nicht ein atheistischer Sündentag, sondern der christliche Sonntag im Lande aufrecht erhalten werde und gelte. Wie gesagt, den Sonntag als den Tag des Herrn zu feiern, am christlichen Gottesdienste theilzunehmen und das Wort Gottes zu betrachten, dazu soll Niemand gezwungen werden. Aber daß am Sonntag Arbeit und Erwerb, Kaufen und Verkaufen, Geräusch und Getümmel aufhöre und Jeder, auch der Aermste und Geplagteste, Gelegenheit habe, sich der Ruhe und Erholung zu freuen, sich einmal wieder als Mensch, und nicht als Maschine zu fühlen: das soll durchgesetzt werden, auch wenn es Solchen, die ihres eignen Wohles Feinde sind, nicht gefällt.

Erläutern wir die Sache durch einen nahe verwandten Fall! Kein verständiger Christ wird sein Kind zwingen, im Stillen im Kämmerlein zu beten oder sich öffentlich als Jünger Christi zu bekennen. Dagegen achtet sich ein Christ nach göttlichen und menschlichen Gesetzen nicht nur berechtigt, sondern auch verpflichtet, sein Kind zum Gehorsam und zur Erfüllung seiner sonstigen kindlichen Pflichten anzuhalten. Warum das? Das Familienleben gehört zu den Naturordnungen Gottes, Gebet und christliches Bekenntniß aber zu den Ordnungen des Gnadenreiches. Die ersteren müssen nöthigenfalls durch Anwendung von Zwang aufrecht erhalten werden, sonst könnte die Welt nicht bestehn. Bei den letzteren dagegen muß Freiwilligkeit walten—Zwang ist dem innersten Wesen des Christenthums zuwider! Eben dasselbe gilt von dem bürgerlichen und christlichen Sabbath. Der Staat kann seine Bürger anhalten, den Sonntag als bürgerlichen Ruhetag zu feiern. Ob und inwiefern sie ihn aber zum Gottesdienste anwenden wollen, das haben sie nicht mit der Obrigkeit, noch überhaupt mit Menschen, sondern allein mit Gott anzumachen; das muß daher dem Gewissen eines Jeden überlassen werden.

III.

Ich will jetzt noch einige Behauptungen unserer Gegner beleuchten, die sie in ihren vor acht Tagen gefaßten Beschlüssen aufgestellt haben. Es heißt darin unter Anderm: „Wir halten fest an dem Grundsatz, daß, was sechs Tage in der Woche gesetzlich ist, am Sonntag nicht ungesetzlich sein kann.“ Weil das Sonntagesgesetz diesem Grundsatz zuwiderläuft, so ist es „unverträglich mit dem gesunden Menschenverstande!“ Das heißt denn freilich den Mund recht voll genommen. Man würde sich beinahe fürchten, einem solchen Nachspruch entgegenzutreten, wüßte man nicht schon längst, daß gerade solche, die sich für Alleinbesitzer des gesunden Menschenverstandes ausgeben, oft das ungesundeste und unverständigste Zeug zu Tage fördern. Besehen wir nun jenen Nachspruch ein bischen näher, so läuft er auf den Satz hinaus: Was zu einer Zeit erlaubt ist, ist allezeit erlaubt. Das ist aber geradezu falsch! Ein frohes Mahl anstellen, ist nichts Unrechtes; wenn aber dejnes Vaters, dejnes Weibes oder Kindes Leiche über der Erde steht, so ist es allerdings unrecht. In der Ehe zu leben, ist nichts Unrechtes. Aber dem Grundsatz gemäß zu handeln: „Was nach der Hochzeit erlaubt ist, ist auch vor der Hochzeit erlaubt,“—das betrachten wir Christen als höchst verwerflich. Ob Ihr Herrn es ebenso betrachtet, ist mir nicht bekannt!

Doch, unsere Gegner haben vielleicht bei jener Behauptung nicht das Sittengesetz, sondern das bürgerliche Gesetz im Auge, und meinen, was das letztere an sechs Tagen nicht verbiete, dürfe es auch am Sonntage nicht verbieten. Allein auch diese Behauptung ist falsch! Daß der Arbeitgeber seine Arbeiter, der Meister seine Gehülfen und Lehrlinge sechs Tage lang beschäftige, soll vom Gesetz nicht verboten werden. Aber wohin würden wir kommen, wenn das Gesetz den Arbeitgebern und Meistern gestattete, ihre Leute auch am Sonntage arbeiten zu lassen? Wahrlich, da würde die Habsucht der Reichen gar bald den Armen ein Arbeitsjoch aufbürden, unter dessen Last sie nie mehr frei aufathmen könnten, und am Ende völlig erlügen!

Was aber dem Einen recht ist, das ist dem Andern billig. Monopole dürfen, wie mein Vorredner bereits bemerkte, nicht gestattet werden, am allerwenigsten in einer Republik. Darf der Besitzer eines Biergartens am Sonntag sein Gewerbe treiben, so nimmt der Branntweinhändler, der Cigarrenhändler, so nehmen hundert andere Händler dasselbe schlimme Vorrecht in Anspruch, und der Ruhetag mit all seinem Segen ist dahin!

Statt auf Euren „gesunden“ Menschenverstand zu pochen, hättet Ihr Herrn wohlgethan, aus der Bibel ein wenig Belehrung anzunehmen. Mäzt ihr sie nicht von Christus und seinen Aposteln holen, so könnt ihr schon vom weisen Salomo lernen: „Ein Jegliches hat seine Zeit—Weinen, Lachen—Schweigen, Reden hat seine Zeit.“ Und so hat auch Arbeiten seine Zeit und Ruhens seine Zeit. Und wann es Zeit sei, einen ganzen Tag zu ruhen, sagt das vierte Gebot.

Sehn wir jetzt auch, wie unsere Gegner mit der Weltgeschichte umgehen! In ihren Beschlüssen vom vorigen Sonntag behaupten sie, daß „die erleuchteten Völker aller Zeiten den wohlthätigen Einfluß der mimisch-plastischen Kunst zu schätzen wußten, weshalb die alten Republiken Rom und Griechenland sie auch von Staatswegen dem Volke zugänglich machten.“ Wahrlich, da hören wir etwas Neues! Daß erleuchtete Völker das Theater als eine Schule des Lasters angesehen haben, ist mir wohlbekannt; daß ihm aber ein wohlthätiger, „sittlich hebender“ Einfluß von den „erleuchteten Völkern aller Zeiten“ zugeschrieben sei, höre ich jetzt erst. Wohlan, Ihr Herrn, wir bitten um Aufklärung. Belehrt uns doch gefälligst, in Euren Zeitungen oder in den Reden, die Ihr nächstens wieder halten werdet, wer diese erleuchteten Völker waren. So viel weiß ich wohl, die Bürger der alten Republik Rom gehörten nicht mit dazu. Gesezt auch, wir wollten sie mit Euch als ein erleuchtetes Volk anerkennen, so hatten sie doch keine von Staats wegen ihnen zugänglich gemachte Theater. Wohl gab es in Rom eine Zeit, da der Ruf: „Panem et Circenses!“ (Gieb uns Brod und Spiele im Circus!) die einzige und feste Forderung des römischen Pöbels an seine Machthaber war. Aber zu der Zeit war Rom längst nur noch dem Namen nach eine Republik und es dauerte nicht lange mehr,

da verlor es auch den Namen. Die alten republikanischen Römer hingegen, deren Bürger tugenden wir mit Recht bewundern, verabschonten das Theater.

Was das alte Griechenland betrifft, so wurden dort ebenfalls erst unter Perikles, als die Sittenverderbniß anfang und der Bürgerfinn abnahm, die Kosten der Theater aus Staatsmitteln bezahlt. Doch war selbst damals noch so viel Gefühl für Zucht und Sitte unter den Griechen, daß sie zwar Schauspieler hatten, aber keine Schauspielerinnen. Solche Theater, wie hier in New-York am Sonntag offen standen, worin halbnackte Weiber vor den Augen der Männer alle Zucht und Scham bei Seite setzten, wo Ströme berauscherender Getränke nebst Tabaksdampf und einer auf's äußerste verpesteten und vergifteten Luft zugleich den Körper und den Geist entkräfteten—hat keine, sei's christliche oder heidnische Republik, ja kein Volk, in dem noch ein wenig gesunder Sinn war, für wohlthätig erkannt!

Schließlich noch ein Wort an unsre Gegner. Ich habe euch vorhin gesagt, was wir wollen, nämlich bloß, daß ihr den Sonntag als bürgerlichen Ruhetag feiert; zu seiner religiösen oder kirchlichen Feier wollten wir euch nicht zwingen, selbst wenn wir es könnten. Was Ihr wollt, will ich Euch jetzt auch sagen. Ihr selbst sagt es nicht, doch deutet Ihr es an, indem Ihr rühmend erwähnt, daß in Rom und Griechenland der Staat die Kosten der Schauspiele bezahlt habe. Ein Gleiches möchtet Ihr gar gern auch hier einführen. Während wir nicht daran denken, Euch zur Erhaltung unserer Kirchen zu nöthigen, würdet Ihr, wenn Ihr es nur könntet, uns zwingen, eure Theater mitzubezahlen und wohl gar am Sonntag, auch gegen unsern Willen, hineinzugehen. Den Fortschritt führt Ihr im Munde, aber Rückschritt ist euer Streben. Ja, bis in's Heidenthum zurück würdet Ihr uns führen, wenn es nach eurem Sinne ginge, und zwar nicht in das Heidenthum der alten Griechen und Römer, sondern in ein noch viel finstlicheres und schauerlicheres, in ein pantheistisches und atheistisches Heidenthum. Einer eurer Redner am vorigen Sonntag hat erklärt: „Wir erkennen keinen andern Gott über uns an, als den Gott der Freiheit und den ewig schaffenden Menschengestalt!“ Diese Erklärung ist offenbar gleichbedeutend mit der Losung, die wir so oft aus eurem Munde vernommen haben: „Wir erkennen keinen andern Gott an, als der in unsrer Brust wohnt!“ Würde je dieser in Euch wohnende Gott zur Herrschaft kommen, so würde es sich zeigen, daß er ärger und blutdürstiger ist als der heidnische Göze Moloch! Denn ein ruhelofer, friebloser, liebloser, hassender Geist ist's, der Euch erfüllt, ein Geist, der allein Recht haben und nichts dulden will, das ihm widerspricht! Allermeist aber haßt dieser Gott, der in Euch wohnt, das Christenthum und die Christen, und wenn er könnte, wie er wollte, so würde Christenblut hier im Lande in Strömen fließen!—

Doch, Gott hat dies Land von Anfang her zu einer sichern Zufluchtsstätte der in der alten Welt verfolgten und unterdrückten Christen geweiht. Die Puritaner aus England und Schottland, die Hugenotten aus Frankreich, die pfälzischen Mennoniten und die Salzburger Lutheraner aus Deutschland kamen hieher, nicht um zu glauben und zu thun, was sie gelüstete, sondern um Gott anzubeten nach Vorschrift ihres Gewissens. Staat und Kirche sind allerdings bei uns weislich und heilsam geschieden. Aber Staat und Christenthum sind nicht geschieden. Jede christliche Religionspartei, dazu auch die jüdische Religion, findet hier Schutz und Anerkennung; eure Irreligion aber wird höchstens geduldet, und auch das nur, wenn sie sich nicht breitt macht, sondern duckt. Darum nehmt guten Rath an, und als vernünftige Leute, die sich nicht gern zwecklose und vergebliche Mühe machen, schickt Euch ruhig in die verhassten Sonntagsgefesse; denn weg schaffen werdet Ihr sie doch nicht!

Euch aber, meine christlichen Mitbrüder, lege ich die Bitte an's Herz: indem ihr die äußere Schutzwehr um den Sonntag wahrt und pflegt, trachtet vor Allem nach dem wesentlichen Gute, das in ihr Vergung und Sicherheit findet, nach der Ruhe der Seele in Gott! Die laßt uns suchen an jedem Sonntage neu zu empfinden und zu genießen; mit ihr wollen wir frühzeitig unsere Kinder bekant und vertraut machen; zu ihr wollen wir auch Andere, die um uns sind, durch Lehre und Beispiel hinzuleiten trachten. Dazu helfe uns Gott!

7. Die Beschlüsse.

Der Vorsitzende legte jetzt der Versammlung folgende Beschlüsse zur Annahme vor:

Beschlossen: Daß die Rechte des Arbeiters auf einen wöchentlichen Tag der Ruhe, der Christen auf einen Tag der Erbauung, und aller Bürger auf regelmäßig wiederkehrende Freiheit von Geschäften, Sorge und Geräusch, wie sie durch die Gesetze unseres Landes gesichert sind, zu den kostbarsten und unveräußerlichen Rechten freier Bürger gehören; und daß jeder Angriff darauf, der den Tag der Ruhe in einen Tag des Geschäftszersplitterens, der Zerstreuung und Zuchtlosigkeit verkehren will, darauf hinansläuft, den Arbeiter zu bedrücken, die öffentliche und persönliche Sitten zu verderben, die Einflüsse der Religion zu schwächen und alle freien Institutionen zu untergraben.

Beschlossen: Daß wir deshalb ernstlich gegen die Abschaffung der jetzt bestehenden Gesetze protestiren, welche den bürgerlichen Sonntag gegen die gefährlichsten Formen öffentlicher Entfittlichung, gegen den Verkauf geistiger Getränke und die Biergarten-Theater schützen.

Beschlossen: Daß die Beamten dieser Versammlung hiermit ersucht werden, die vorstehenden Beschlüsse der Legislatur unseres Staats, als die bestimmte Willensmeinung der ordnungsliebenden deutschen Bevölkerung unserer Stadt, vorzutragen.

Da diese Beschlüsse auch in dem Programm standen, das in aller Anwesenden Händen war, so hatte jeder hinreichende Gelegenheit gehabt, sich mit ihnen bekannt zu machen.* Als daher der Vorsitzende diejenigen, die mit den Beschlüssen einverstanden seien, aufforderte, sich von ihren Sitzen zu erheben, und als sich hierauf die ganze Versammlung erhob, wußte sie sehr wohl, was sie that. Dessen ungeachtet bemühten sich die wenigen anwesenden Gegner, die während der ganzen Verhandlungen stets Anlaß und Gelegenheit zu Störungen gesucht hatten, auch jetzt am Schlusse noch sich geltend zu machen.

Sie begannen ein Gemurmel und Gerede, als seien sehr Viele mit den Beschlüssen nicht einverstanden, allein man wolle diese nicht zu Worte kommen lassen. Indes—der Vorsitzende trat wieder vor und forderte ruhig die den Beschlüssen nicht Beistimmenden auf, sich zu erheben. Und siehe! bloß Ein Mann erhob sich, und auch der setzte sich schnell nieder, als er sich so alleinstehend fand. Hatte zuvor der Vorsitzende Aeußerungen des Beifalls, als in einer christlichen Versammlung ungeeignet, abzuwehren gesucht, so war dies jetzt nicht mehr möglich. Ein allgemeiner Jubel entstand, als es sich zeigte, daß die ungeheure Mehrheit der Versammlung mit den Beschlüssen einverstanden war und daß die wenigen Gegner, trotz ihrer gerühmten Freiheitsliebe und Ueberzeugungstreue, nicht den Muth hatten, offen für ihre Ueberzeugung einzustehen.†

* In den Versammlungen der Feinde des Sonntags pflegt es umgekehrt herzugehen. Ellenlange Beschlüsse werden dort verlesen, worin alle mögliche philosophische, sociale und politische Fragen abgehandelt werden, und wenn gleich nur Wenige, die ganz in der Nähe sitzen und sorgfältig aufmerken, Alles verstanden haben, wird doch ohne Weiteres die Zustimmung der ganzen Versammlung begehrt. Auch ein Bröckchen von der Achtung, die in diesen Kreisen der persönlichen freien Ueberzeugung gezollt wird!

† Die englische Zeitschrift "New-York Observer" sagt in ihrem Bericht über die Versammlung: „Die Scene bei Annahme der Beschlüsse war von höchst ergreifender Art. Als der Vorsitzende die damit Einverständenen zum Aufstehen aufforderte, standen die versammelten Tausende auf wie Ein Mann. Als er sich dann auch an die Nichteinverständenen wandte, blickten sich Alle um, begierig zu sehen, wie viel Gegner da seien. Aber nur Ein Individuum hinten im Saal stand auf, der einzige Opponent! Diese Einstimmigkeit erfüllte die Versammlung mit einem Siegesgefühl, welches sich in so anhaltendem Beifallrufen Luft machte, daß Niemand dessen Bedeutung mißverstehen konnte.“—Ebenso die politische Zeitung "The World": „Die Annahme der Beschlüsse von Seiten der Versammlung war eine einstimmige und nachdrückliche (emphatische).“

Als wieder Stille eintrat, erhob sich der Prediger R. D. Hitchcock, Doctor der Theologie und Professor am theologischen Union-Seminar zu New-York, um eine kurze Schluß-Ansprache zu halten. Es geschah dies in so freundlicher Weise, anfangs in deutscher, dann in englischer Sprache, daß die Versammlung, obgleich sie schon viel gehört hatte, ihm noch bereitwillig das Ohr lieh.

8. Schluß-Ansprache von Prof. Dr. Hitchcock.

Meine Freunde! Professor Tholuck in Halle fragte mich einst: „Können Sie mir sagen, weshalb Gott so viele Chinesen und so wenig Preußen geschaffen hat?“ Wenn Professor Tholuck heut' Abend hier wäre, so würde er finden, daß Gott eine hübsche Anzahl Deutsche hierher gebracht hat. Als solche begrüße ich Euch. Ihr seid Deutsche, ein Theil von Euch sind Sachsen; wir sind Angelfachsen. Wir sind von Einem Stamm. Der Unterschied ist bloß, daß wir ein bischen früher hieher gekommen sind. Ihr kamet geradewegs übers Meer hierher. Wir hielten uns eine Weile in England auf, nach unserer Meinung nicht ohne Vortheil für uns, indem wir dort Manches lernten.

Der Deutsche sowohl als der Angelfachse liebt die Freiheit, wie der Adler seine Felsklippe. Aber es ist nöthig wohl zu zusehn, was Freiheit sei. Wenn Jemand bloß seine Rechte kennt und nicht auch seine Pflichten, so ist das ein kläglich Ding. Freiheit und Gesetz müssen Hand in Hand gehen. Wenn die Centrifugalkraft der Freiheit und die Centripetalkraft des Gesetzes gleichmäßig auf uns einwirken, so bewegen wir uns, gleich unrer Mutter Erde, in einem lichten, wohlthätigen Kreislauf.

Die Leute, die ein groß Geschrei von der Freiheit machen, ohne Achtung vor dem Gesetz gelernt zu haben, kennen die angelfächsische Freiheit noch nicht; denn das ist eine durch Gesetz geordnete Freiheit. Wir sagen zu denjenigen, die in unser Land einwandern: die Freiheit, Böses zu thun, ist nicht Freiheit, sondern Sklaverei. Das ist unser amerikanischer Begriff von Freiheit, für den wir nicht durch Zwang, sondern durch Ueberzeugung Alle gewinnen möchten. Wir wollen die Freiheit haben, Recht zu thun, aber nicht die Freiheit, Unrecht zu thun.

Wir sind Republikaner. Wir haben dieß Land und seine freien Institutionen von unsern Vätern überkommen, und wir sind Willens, unsere Freiheit zu bewahren. Die Weltgeschichte sagt uns, daß von allen Verfassungsformen die republikanische am schwersten zu gewinnen und am leichtesten zu verlieren ist. Republiken sind in der Regel nicht alt geworden, während despotische und selbst tyrannische Regierungen oft ein langes Dasein fristeten. Wollen wir also Republikaner bleiben, so müssen wir wachsam und rüthig sein. Auf den Sabbath gilt's ganz sonderlich unser Augenmerk zu richten. Wir behaupten zwar nicht, daß, wenn wir ihn aufrecht halten, dadurch unsere Freiheit gesichert sei. Wohl aber behaupten wir, daß, wenn wir den Sabbath mit Füßen treten, unsere Freiheit uns genommen werden wird.

Ein gütiger Gott giebt uns den Sonntag. Der Teufel möchte daraus gern einen Sündentag machen, der in niedrer Sinnelust, Schwelgerei und Getümmel zugebracht wird. Würde ihm das je gelingen, würde dieser heilige Tag von Theater-Musik wiederhallen und in Lagerbier ertränkt werden, so würde mit ihm unsere Freiheit zu Grabe gehn.

Wir wissen sehr wohl, was für Herrscher es waren, die ihren Völkern Vergnügungstage und Schauspiele gaben. Calignla, Nero und ihres Gleichen thaten das. Sie süßterten ihre Sklaven mit Vergnügungen, damit sie ihre Sklaverei vergäßen. Tyrannen, wie Calignla und Nero, (gleichviel, ob sie Fürsten sind, oder Demagogen eines Freistaats, die gern Diktatoren werden möchten,) können mit einfachen, wahren, treuen Männern ihren Zweck nicht erreichen. Sie haben lieber mit betäubten, verwirrten Leuten zu thun, und um solche zu bekommen, betäuben sie sie durch Tage der Lust.

Ihr hört manche Spottreden über die Puritaner hier zu Lande. So spotteten auch die Kavaliere in England vor zweihundert Jahren der Puritaner oder, wie sie sie nannten, der

Rundköpfe. Aber als die Kavaliere in der Schlacht von Marston-Moor diesen betenden Puritanern entgegentraten, da mußten sie vor ihnen in's Gras beißen.

Als vor wenig Wochen der Held, dessen Name jetzt in Aller Munde ist, seine kleine Schaar von Fort Moultrie nach Fort Sumter führte und dort das Sternenbanner aufpflanzte, kniete er mit all' seinen Soldaten nieder und betete zu Gott. Die Kunde davon ergriff mit Macht alle Herzen in unserm Lande und setzte die Welt in Stannen. Das ist ein Mann, hieß es, vor dem die Feinde sich scheuen mögen! Diese schrecklichen Puritaner beten erst, und darnach kämpfen sie wie Löwen.

Unsere Väter haben ebenfalls knieend und betend ihr Banner hier im Lande aufgezogen. Sie haben es in Besitz genommen als Leute, die Gott fürchten und Ihn zu dienen begehren. Wir, ihre Nachkommen, sind nicht Willens, Andere hinzustoßen, daß sie mit uns knien. Sie mögen beten oder nicht, wie es ihnen gefällt. Für uns selber aber fordern wir das Recht zum Beten, und wir fordern ferner, daß wir in diesem Recht an Gottes Ruhetag nicht durch lärmende Spieler und Schwelger getränkt werden. Unser Sabbath soll ein friedlicher und feierlicher Sabbath sein. Wir wollen in unsern Kirchen Stille, in unsern Straßen Ruhe haben. Wie gesagt, es handelt sich hier nicht darum, ob Ihr beten sollt. Ihr mögt das thun oder lassen—wiewohl wir Euch ernstlich rathen, es zu thun. Es handelt sich nur darum, ob wir, die wir zu beten wünschen, dabei ungestört sein sollen. Das ist's, was wir fordern. In diesem Sinne beten wir: Gott, erhalte unser Gemeinwesen!—

Soweit Professor Hitchcock. Nachdem hierauf noch der Vers gesungen war: „Lob, Ehr' und Preis sei Gott!“ und zum Schluß von Pastor Stohmann der Segen gesprochen war, ging die Versammlung befriedigt, erfreut und erbaut auseinander.

9. Ferneres Verhalten der Feinde des Sonntags.

Wer Amerika kennt, weiß, welch eine Macht hier die Presse ist. Gott Lob! diese Macht ist fast ungetheilt auf Seite der Sonntagsfreunde. Dies zeigte sich auch darin, daß alle englischen politischen Zeitungen von New-York mit großer Achtung von der Versammlung am 10. März sprachen und daß mehre von ihnen den Hauptinhalt der gehaltenen Reden ausführlich berichteten; die deutschen Zeitungen dagegen, allermeist der „New-Yorker Demokrat,“ ließen sich in ihrem Bericht darüber die gehässigsten Entstellungen zu Schulden kommen. Dahin gehört allermeist die Behauptung, als sei die Mehrheit der Versammlung mit deren Tendenz und Beschlüssen nicht wirklich einverstanden gewesen—was doch der Wahrheit schnurstracks zuwiderläuft. Ueber die gehässigen Ausfälle gegen die einzelnen Redner schweigen wir. Nur Eins sei darüber bemerkt! Der „Demokrat“ hatte Tags zuvor einen Artikel mit der Ueberschrift: „Wer sind die Rüstzeuge des Herrn?“ worin, auf Grund der gedruckten Ankündigung, sämtliche Redner genannt wurden, mit Beifügung folgender, sehr bezeichnender Aufforderung: „Um Auskunft über diese Persönlichkeiten ersucht die Redaktion des ‚Demokrat.‘“ Es war essenbar darauf abgesehen, etwas Nachtheiliges über den einen oder andern Redner zu erfahren und möglichst auszubeuten. Allein—die Bitte der Redaktion blieb ohne Erfolg; der Schmähartikel, den sie am Tage nachher in ihr Blatt setzte, enthielt bloß Mißdentung und Verdrehung der Reden, aber keine Anklagen wider die Redner.

Gleich am folgenden Sonntag, den 17. März, hielten die Feinde des Sonntags eine zweite Versammlung im deutschen „Stadt-Theater,“ worin eine „Antwort“

auf die Erklärungen der Versammlung vom 10. März gegeben wurde. Diese „Antwort“ unternimmt es gar nicht, die vorgebrachten Gründe durch Gegengründe zu widerlegen, sondern ergeht sich bloß in Schmähreden, wie die folgenden, durch welche natürlich nichts bewiesen und nichts ausgerichtet wird.

„1. Wir deutschen Adoptivbürger der gegenwärtigen Versammlung finden es so unbegreiflich als verächtlich, daß es hier im freien Amerika noch Männer, im deutschen Volk geboren, geben kann, die sich freiwillig zu Werkzeugen der Bigotterie und Zwangsmoral hergeben und sich dadurch zu Tyrannen der Gewissen zu machen bereit sind. Diese Ausartung des ursprünglichen toleranten deutschen Sinnes und Geistes ist so ungewöhnlich, so einzig in ihrer Art, wo immer Männer deutschen Stammes ein Misl gesucht und gefunden, daß man von einer solchen Erscheinung nothwendig auf verstimmte Seelen oder verwirrte Köpfe, die am wenigsten Lebensnormen für Andere zu entwerfen, ja kaum von ihrem Petitionsrecht vernünftigen Gebrauch zu machen fähig sind, schließen muß.

„2. Wir finden es höchst verächtlich, wenn die Leiter jener Versammlung durch die Demonstration den Glauben zu erregen suchten, als ob der Puritanismus in unserem Bevölkerungsbestandtheil mehr denn eine winzige Minorität repräsentire; wir finden es zwiefach verächtlich, wenngleich charakteristisch für die Leiter der Versammlung, ordinäre Kniffe anzuwenden, um Publikum herbeizuziehn, überhaupt eine Versammlung zu haben; solche Tricks nennt man im Volk eine Fälschung des wahren Stands der Dinge, mit einem Worte: *B e t r u g*!

„3. Wir finden es grundverächtlich, wenn jene Ausgearteten ihre finsternen Pläne unter dem Deckmantel von Moralität und Sittlichkeit, die bekanntlich am wenigsten verletzt werden, wo dem freien Volksleben am wenigsten Zwang auferlegt wird, verfolgen—ein modernes Pharisäerthum, eine direkte Pflanzstätte für Immoralität und Unsitlichkeit, wie die Geschichte der Völker aus tausend Beispielen lehrt! u. c.

Gewiß, das heißt geschimpft wie ein Kehrsperrling! Gut, daß es Niemanden verletzt als diejenigen, von denen solche Reden ausgehen!

10. Verhalten der Legislatur.

Wir theilen schließlich noch mit, was die gesetzgebende Versammlung des Staates New-York während ihrer Sitzung im Winter und Frühling 1861 in dieser Angelegenheit gethan—oder vielmehr nicht gethan hat.

Es ging damit so zu. Die Committee der Assembly, welcher die Petition gegen das Sonntagsgesetz zur Berichterstattung überwiesen wurde, ging auf die Zumuthung, euren Gesetzentwurf zum Widerruf des Gesetzes vom 17. April 1860 und der Gesetze, die den Verkauf geistiger Getränke am Sonntag verbieten, einzubringen, nicht ein. Doch gab eine geringe Mehrheit der Committee den Unterzeichnern jener Petition insoweit nach, daß sie einen Gesetzentwurf einbrachte, vermöge dessen Lagerbier, Ale und andere aus Malz bereitete Getränke am Sonntag verkauft werden dürften. Die Minderheit der erwähnten Committee aber sprach sich bei dieser Gelegenheit auf eine so klare und bestimmte Art über diese Frage aus, daß wir uns nicht enthalten können, einige Hauptpunkte aus ihrem Bericht hervorzuheben. Die Mehrheit der gesetzgebenden Versammlung ist, wie wir genügende Ursache haben zu glauben,

mit demjenigen, was die Minderheit der Committee über die Sonntagsfrage sagt, einverstanden. Der Bericht beginnt:

„Der von der Mehrheit der Committee eingebrachte Gesetzesentwurf betrifft den ganzen Staat und zielt dahin, überall innerhalb dessen Gerichtsbarkeit den Verkauf von „Lagerbier, Ale und andern aus Malz bereiteten Getränken“ am Sonntag zu legalisiren. Seine besondere Absicht ist jedoch, die Theater wieder zu öffnen und die Bierhallen der Stadt New-York für die deutsche Bevölkerung zu legalisiren, um sich Gewohnheiten und Vergnügungen hinzugeben, die mit einer ruhigen und nützlichen Sonntagsfeier unverträglich sind, und nur in den sittenlosesten großen Städten des Festlandes von Europa geduldet werden.“

„Der Umstand, daß gebranntes Wasser nicht mit einbegriffen sind, verändert weder den Charakter des Gesetzesentwurfes, noch verringert er die Einwürfe gegen denselben. Die Gewohnheit, jedes Getränk mit schädlichen Zusätzen zu verfälschen, gewährt demjenigen, welcher angeblich bloß Bier trinkt, die Mittel, seinen noch so verderbten Geschmack auf's vollständigste zu befriedigen. Trunkenheit, Entsittlichung und Laster müssen gewaltig zunehmen und der christliche Sabbath wird in einen heidnischen Vergnügungstag ausarten, wenn Biergärten zu einer amerikanischen Institution werden, und der Verkauf aller Arten von Bier am Sonntag gesetzlich erlaubt und beschützt wird.“

„Die neueren Sonntagsgesetze gehen bloß darauf aus, allen Classen, besonders aber den Arbeitern, ihr unveräußerliches Recht auf einen wöchentlichen Ruhetag zu sichern. Sie gewähren den Freunden der Religion Gelegenheit zu ungestörten Andachtsübungen, und der ganzen bürgerlichen Gesellschaft Befreiung von der Versuchung zu Zerstreuungen, Lastern und Verbrechen, auf daß der Tag der Erholung nicht zu einem Fluch und Aergerniß werde.“

„Diese Gesetze hat sich das Volk selbst gegeben. Sie sind unparteilich und stimmen sehr wohl mit dem Geist unsrer freien Institutionen überein. Sie sind menschenfreundlich in ihrem Einfluß auf die Armen, gerecht in ihrer Beschränkung selbstlicher Gelüste, und unerläßlich als Schutzwehr der öffentlichen Sitte. Sie dienen zur Beförderung der Gesundheit, Wohlhabenheit und Tugend des Volkes; sie befördern Nachdenken, Selbstbeherrschung und Gewissenhaftigkeit, welche den Bürgern eines Freistaats ziemen: sie stärken somit die Grundlage unsrer auf Selbstregierung berechneten Institutionen. Sagt doch der Richter McLean, von dem obersten Gerichtshof der Ver. Staaten: „Wo kein christlicher Sabbath ist, da ist keine christliche Sitte, und ohne diese kann ein Freistaat nicht lange bestehen.“ Ebendahin zielt Washington's Abschiedsruß an seine Landsleute, worin es heißt: „Religion und Sittlichkeit sind die unerläßlichen Stützen aller geistigen Triebe und Gewohnheiten, welche das Gedeihen eines Staats befördern. Vergebens würde derjenige auf den Namen eines Vaterlandsfreundes Anspruch machen, der dahin streben würde, diese starken Säulen menschlichen Glückes, diese festesten Stüppunkte der Pflichten des Menschen und des Bürgers, unzustürzen““

„Wir wissen sehr wohl, daß die gesetzlichen Bestimmungen, über welche man sich beklagt, einem Theile unsrer Mitbürger, die vom Festlande Europa's kommen, als den Sonntagsbelustigungen, an welche sie dort gewohnt waren, widerstreitend erscheinen. Ohne Zweifel besteht auch unter einem Theile der eingebornen Bevölkerung eine gewisse Neigung, den Sonntag als einen Tag des Vergnügens anzusehn. Mit den

verschiedenen theoretischen Ansichten über den Sabbath haben wir hier nichts zu thun. Es genügt uns, daß seit undenklichen Zeiten durch Gesetz und Sitte, sowie durch die allgemeine Ueberzeugung des Volkes, unser bürgerlicher Sabbath als eine Institution unsers Staates und ganzen Landes so fest gegründet ist, daß es jedem beobachtenden Fremden auffällt. Jede in Europa erscheinende amerikanische Reisebeschreibung erkennt diese Thatsache an. Ein berühmter Franzose, Duponceau, äußerte darüber, „von Allem, was wir als charakteristische Züge unsers Volkes nennen, sei unsre Sabbathfeier das einzige wahrhaft Nationale und Amerikanische, und er hoffe und wünsche schon deßhalb, daß diese Feier unserm Gefühl und Patriotismus stets werth bleibe.“ Eine derartige Auffassung der Sache nimmt den gesetzlosen Angriffen auf unsre Sitten und Ueberzeugungen jede Entschuldigung, die ihnen sonst etwa gewährt werden möchte. Einwanderer aus andern Ländern wußten oder konnten wenigstens wissen, daß unser Sonntag der Ruhe und dem Gottesdienst gewidmet ist, und daß die Belustigungen von Paris oder Wien hier nicht geduldet werden. Wir öffnen die Pforten unsres Landes Allen, die hieher kommen, und geben ihnen vollen Antheil an der Freiheit, welche der eingeborne Bürger genießt—soweit solches mit der Sicherheit unsrer freien Institutionen bestehn kann. Aber Laster und Gewohnheiten, die wir unter uns selbst nicht dulden, können wir ebenso wenig zu Gunsten Anderer legalisiren.“

„Es ist übrigens unrichtig zu behaupten, daß die ganze deutsche Bevölkerung in dieser Frage eines Sinnes sei. Tausende von einwandernden Deutschen bleiben ihrem Vaterlande fortwährend mit Liebe zugethan und gedenken gern an dessen glorreiche Vergangenheit; dabei aber—zum bleibenden Ruhm des deutschen Namens sei es gesagt—werfen sie die schlechten Gewohnheiten und Belustigungen hinweg, die in späteren Zeiten der Biederkeit und Treue, welche die Grundlage des deutschen Charakters bilden, Eintrag gethan haben.“

„Diese Männer begeben sich, wenn sie hier anlangen und die Pflichten und Verantwortlichkeiten amerikanischer Bürger übernehmen, freiwillig sowohl unter die Schranken als unter den Schutz unserer Gesetze. Sie streben darnach, sich selbst und der ganzen deutschen Bevölkerung die Wohlthaten einer höheren Civilisation zu sichern, indem sie die bürgerlichen Einrichtungen aufrecht erhalten helfen, durch welche das Volk wider das Eindringen von Sittenverderbniß und Verbrechen geschirmt wird.

Diese Männer bilden gegenwärtig einen ansehnlichen Bestandtheil der deutschen Bevölkerung von New-York und gewinnen täglich neue Anhänger für die Sache der Mäßigkeit, Sittlichkeit und strengen Beobachtung eben der Sonntagsgesetze, welche der eingebrachte Gesetzentwurf theilweise abschaffen möchte.“

„Diese Männer gründen Bibliotheken, Schulen und Kirchen und trachten nach Besserung und Hebung der Menschheit mit einem Ernste, der seinen Lohn bereits gefunden hat und in der Zukunft ausgezeichnete Erfolge hoffen läßt. Der Hauptwiderstand aber gegen ihre menschenfreundlichen Bestrebungen geht von denjenigen aus, die in den Boden der Freiheit Laster pflanzen möchten, welche, wenn sie einmal eingewurzelt wären, nur durch den starken Arm absoluter Gewalt verhindert werden könnten, das ganze Land zu überwuchern.“

„Der Widerruf irgend eines Theiles der Sonntagsgesetze zu dem Zweck, Biergärten und Bierhallen am Sonntag zu legalisiren, würde eine Ungerechtigkeit gegen jene Männer sein, die ihre Landsleute von den Sonntagsbelustigungen, an welche sie

früher gewöhnt waren, abzuziehen streben, um sie für die Aufrechterhaltung von religiösen und Bildungs-Anstalten zu gewinnen, welche das Volk heben und der Ruhm unseres Jahrhunderts sind.“

• „Ein solcher Widerruf würde ferner eine Ungerechtigkeit gegen alle diejenigen Gewerbe sein, deren Betrieb nach wie vor durch die Sonntagsgesetze verboten bleibt. Wenn einige wenige Geschäfte, oder ein privilegirter Handel, von dem Nutzen aller andern am Sonntag Nutzen zieht, so verwandeln sich ja eben die Schranken, vermittelt deren Religion und Sittlichkeit die Massen von der Arbeit abhält, in ein Mittel des Gelderwerbs für Jene. Dadurch aber wird der großen Mehrzahl guter Bürger, welche dem Gesetze willig gehorchen, ein offenkundiges Unrecht zugesügt. Die Concurrenz wird dann immer Mehrere dahin treiben, am Sonntag ihr Gewerbe fortzusetzen, bis der Sabbath dahin ist und jeder Schutz für das Recht des Arbeiters auf einen Tag der Ruhe und Andacht vernichtet ist.“

Hierauf wird noch dargelegt, wie jener Gesetzentwurf ein Unrecht gegen die Städte, gegen die Landbevölkerung und gegen die christlichen Bürger sei. Dann schließt der Bericht mit dem dringenden Antrage, daß der von der Mehrheit der Committee eingebrachte Gesetzentwurf nicht durchgehen möge. Der von der Minderheit vorgelegte Bericht ist unterzeichnet von den Herren L. Ch. Ball, S. A. Prendergast und W. Angel.

Das Endresultat war, daß die Assembly am 9. April, ohne weitere Discussion, mit 71 gegen 24 Stimmen beschloß, den Antrag der Majorität auf den Tisch zu legen,—eine Abstimmung, welche nicht allein das Bestehen der Sonntagsgesetze während der Dauer der gegenwärtigen Legislatur sichert, sondern auch zu der Hoffnung berechtigt, daß die Gegner auf lange Zeit an dem Erfolg ihrer Bemühungen verzweifeln werden.

U n h a n g.

Stimmen die Sonntagsgesetze mit der Constitution überein?

Entscheidung der Frage durch den obersten Gerichtshof.

In Sachen von Gustav Lindenmüller, der wegen theatralischer Vorstellungen, welche er am Sonntag gegeben, auf Grund des Gesetzes vom April 1860 verurtheilt worden war, und darauf an den obersten Gerichtshof (Supreme Court) des Staats New-York appellirte, erfolgte seitens dieses Gerichtshofes, unter Theilnahme der Richter Clerke, Sutherland und Allen, am 29. Mai 1861 folgende Entscheidung:*

„Das Christenthum ist ein Theil des gesetzlich gültigen Herkommens oder Gewohnheitsrechts (common law) unseres Staates. Dieß ist nicht so zu verstehen, als werde eine erzwungene Zustimmung erfordert, sei es zu den kirchlichen Lehren und Vorschriften einer einzelnen Kirchenpartei, oder zu denjenigen Glaubenssätzen und gottesdienstlichen Übungen, worin alle Bekenner des Christenthums übereinstimmen. Sondern es ist in dem beschränkten Sinne zu verstehen, daß der christlichen Religion und ihren Einrichtungen Achtung und Schutz gebührt, weil sie anerkanntlich die Religion unsers Volkes ist. Dem Gewissen soll kein Zwang angethan werden; aber Leute von jedweder Denkweise und Glaubensansicht sind von solchen Handlungen abzuhalten, durch welche dem christlichen Gottesdienst Eintrag geschieht, oder die Religion gelästert und in Verachtung gebracht wird. Niemandes Glaube soll gehemmt werden, und auch eine in geziemender Weise stattfindende Kundgebung seines religiösen Glaubens ist Jedem gewährleistet. Allein dieß Recht muß, gleich jedem andern Rechte, unter sorgfältiger Berücksichtigung der gleichen Rechte Anderer geübt werden. Wenn je religiöser Glaube oder Unglaube zu Handlungen führt, durch welche dem Gottesdienst und den Gewissensrechten derer Eintrag geschieht, die sich zur Landesreligion bekennen, (welche zwar nicht durch Gesetze, aber wohl durch die allgemeine Zustimmung und Sitte der Bürger Landesreligion geworden ist, schon vor der Gründung eines geordneten Staatswesens,) so können solche Handlungen durch die gesetzgebende Gewalt verboten werden.

„Mit andern Worten: Das Christenthum ist bei uns nicht gesetzliche Staatsreligion, ist aber gleichwohl die Volksreligion. Diese Thatsache tritt allenthalben in der Geschichte unsers Landes hervor, und ist von jeher vom Volke, sowie von Verfassunggebenden Conventionen, gesetzgebenden Versammlungen und Gerichtshöfen anerkannt, und es ist demgemäß verfahren worden.

„Die Verfassung von 1777, § 38, setzt fest, daß die freie Ausübung religiösen Bekenntnisses und Gottesdienstes, ohne Unterschied oder Vorzug, hinfort auf immer gestattet sei, vorausgesetzt, daß die hiedurch gewährleistete Gewissensfreiheit nicht mißdeutet werde zur Entschuldigung sittenloser Handlungen oder solcher Gewohnheiten, die dem Frieden

* Dieß höchst wichtige Altenstück ist nachstehend mit möglicher Treue übersezt worden, zwar seiner beträchtlichen Länge wegen nicht vollständig, doch so, daß alle überhaupt wiedergegebenen Stellen vollständig wiedergegeben sind.

Für auswärtige Leser bemerken wir, daß G. Lindenmüller eben derselbe ist, von dem auf S. 4 dieser Schrift erwähnt war, daß er seine theatralischen Vorstellungen den „Gottesdienst der deutschen Schaker-Gemeinde“ nannte und sich hiedurch zu rechtfertigen suchte.

und der Sicherheit des Staats zuwiderlaufen. Dieselbe Bestimmung findet sich in der Verfassung von 1821, Art. 7, Sect. 3, sowie in der Verfassung von 1846, Art. 1, Sect. 3. Die Convention, von welcher die Verfassung von 1777 herrührt, bestätigte zugleich die Unabhängigkeitserklärung (vom 4. Juli 1776) und schickte sie der Verfassung als Einleitung voraus. Die Unabhängigkeits-Erklärung aber enthält eine direkte, feierliche Berufung auf den „höchsten Richter der Welt,“ und spricht „festes Vertrauen auf den Schutz der göttlichen Vorsehung“ aus. Bei Annahme der Verfassung von 1821 erkannte das Volk „mit Dankbarkeit die Gnade und Güte Gottes“ an, vermöge deren es seine Regierungsform nach freier Wahl festsetzen könne. Ebenso erklärt es bei Bestätigung der Verfassung von 1846 „für seine Freiheit sich zum Danke gegen den allmächtigen Gott verpflichtet.“ Die zwei ersten Verfassungen unseres Staates besagen, daß „Prediger des Evangeliums vermöge ihres Amtes dem Dienste Gottes und der Sorge für das Heil der Seelen gewidmet sind und daher von den großen Pflichten ihres Berufes nicht abgezogen werden“ und weder zu bürgerlichen noch militärischen Aemtern wählbar sein sollen.

„Alle diese Gesetzesbestimmungen und Erklärungen erkennen deutlich mehr Grund Lehren des Christenthums an und sind weit entfernt von Ignorirung Gottes als des höchsten Lenkers und Richters des Weltalls, oder der christlichen Religion als der Volksreligion. Vielmehr betrachten sie dieselbe mit ihren Predigern und Einrichtungen als den gemeinsamen Glauben der Bürger, als etwas ohne Beihülfe des Staates oder politische Verbindungen mit ihm Bestehendes, aber gleichwohl mit einer guten Regierung innig Verknüpftes, indem es die einzige sichere Grundlage gesunder Sitte bildet.

„Die verschiedenen Verfassung-gebenden Conventionen erkannten die christliche Religion auch dadurch als die Volksreligion an, daß sie ihre täglichen Sitzungen mit Gebet eröffneten, den christlichen Sabbath feierten und eigends bestimmten, daß an diesem Tage keine vom Gouverneur zurückgesandten Geschenktwürfe angenommen werden sollten.

„In dem Prozesse des Volkes gegen Ruggles, 8 J. R. 291, entschied der Gerichtshof, daß Lästerung Gottes, sowie beschimpfende Schmähung und gemeine Verspottung Christi oder der heiligen Schrift, in unserm Staate als öffentliche Vergehen strafwürdig seien. Ch. J. Kent sagt, Schmähung der Religion, zu der sich fast alle Bürger bekennen, sei ein Mißbrauch der durch die Verfassung gewährleisteten Religions- und Versprechungsfreiheit. Er sagt ferner, die Verfassung sichere keineswegs der Religion Muhameds oder des Dalai-Lama dieselbe Achtung wie der Religion unsres Heilandes zu, und zwar aus dem einfachen Grunde, weil wir ein christliches Volk seien und die Sitte unseres Landes sich ganz und gar auf das Christenthum stütze.

„Der Sabbath, als eine bürgerliche Institution, ist bei uns älter als die Gründung eines geordneten Staatswesens. Die Gründer der ersten Verfassung fanden ihn als bestehend vor. Sie schafften ihn weder ab, noch veränderten sie ihn, noch verringerten sie seine Ansprüche oder die Verpflichtung des Volks, ihn zu halten. Und gesetzt, sie hätten ihn nicht bereits vorgefunden, so hätten sie mit Recht ihn einführen dürfen. Es ist ein Gesetz unserer Natur, daß Ein Tag unter sieben zur Ruhe und Erholung angewendet werden muß. Die Erfahrung hat gelehrt, daß ein wöchentlicher Ruhetag „dem Staat erstaunlichen Nutzen bringt, schon als rein bürgerliche Institution betrachtet.“ (4 Bl. Com. 63.) Wir sind physisch so constituirte, daß genau dasjenige Zeitmaß, welches der Decalog (die zehn Gebote) festsetzt, der Ruhe und Erholung gewidmet werden muß. Geschicht dies nicht, so rächt sich das, wie jede Uebertretung der Naturgesetze sich rächt; und eben dadurch bestätigt die Natur das vom Sinai verkündigte positive Gesetz.

„Der sichere Fortbestand der Regierung, das Wohl der Unterthanen und das Interesse der menschlichen Gesellschaft erfordern ferner die gleichförmige Feier ein und desselben Tages seitens des ganzen Volkes. Zu diesem Ende muß seine Feier in etwa erzwingen werden, nicht dergestalt, daß dem Gewissen Zwang angethan werde, sondern bloß zum Schutze derjenigen, welche den Ruhetag begehren, wozu sie berechtigt sind. Welcher Tag der Woche aber als der Ruhetag gelten soll, das würde, sofern man den Sabbath als rein bürgerliche Institution ansieht, die Legislatur zu bestimmen haben. Für ein christliches Volk ist es jedoch völlig angemessen, daß der christliche Sabbath gefeiert werde. Die sitt-

liche und gesekliche Würde des Staatsgesetzes wird wahrlich nicht dadurch geschwächt, daß es sich dem Gesetze Gottes anpaßt, welches ja von der großen Mehrheit des Volkes anerkannt wird.

„In unserm Staate besteht der Sonntag als der wöchentliche Ruhetag schon vermöge des Herkommens (common law.) Es ist daher nicht Sache der Legislatur, ihn einzuführen, sondern bloß durch ihre „Sabbathgesetze“ die Art und Weise der Sonntagsfeier zu ordnen. Schon die Verfassung bestimmt, daß kontraktliche Verpflichtungen, die auf den Sonntag fällig werden, am Samstag oder Montag geleistet werden sollen; ferner, daß kein gerichtlicher Akt am Sonntag vorgenommen werden kann, und vieles Andere der Art. Der christliche Sabbath ist somit eine der bürgerlichen Institutionen des Staates, welchem die Geschäfte und Pflichten des Lebens, dem Herkommen gemäß, sich fügen und anpassen müssen.

„In unserm Staate, wie in den meisten, ja in fast allen Staaten der Union, sind daher Gesetze, welche die Art und Weise der bürgerlichen Sonntagsfeier betreffen, beinahe gleichzeitig mit der Gründung eines geordneten Staatswesens erlassen worden. Schon 1788 wurde Reisen, Arbeiten und Ausstellung von Waaren zum Verkauf am Sonntag verboten. Im Jahr 1789 wurde der Verkauf hiziiger Getränke verboten. Seitdem sind beständig Gesetzesbestimmungen in Kraft gewesen, welche die Entheiligung des Sonntags verbieten und an diesem Tage solche Handlungen untersagen, welche an andern Wochentagen gesetzlich erlaubt sind.

„Das Gesetz, über welches in gegenwärtigem Falle Klage geführt wird, nöthigt Niemanden zu irgend einer religiösen Uebung; daher auch Uebertretungen desselben nicht als Sünden gegen Gott, sondern nur als der Gesellschaft nachtheilig und einen verderblichen Einfluß auf sie ausübend zu bestrafen sind. Dieses Gesetz ruht auf der gleichen Grundlage, wie eine Menge andrer Bestimmungen unsres Gesetzbuches, z. B. die Gesetze gegen Glücksspiele, Lotterien, Verwelle, Vielweiberei, Pferderennen, Fluchen und Schwören, Störung religiöser Versammlungen, Verkauf hiziiger Getränke an Wahltagen, ic. Alle derartige Gesetze legen dem Bürger gewisse Schranken an und beanben ihm mancher Rechte, die er sonst besitzt. Allein es steht nun einmal der Legislatur zu, gemeinschädliche Handlungen, welche die öffentlichen Sitten verderben und den Frieden und die gute Ordnung der Gesellschaft stören, zu verbieten. Welche Handlungen aber als solche zu betrachten sind, das hat nur allein die Legislatur zu bestimmen.

„J. Woodward (im Prozeß von Johnston gegen Gunn, 10 Har., 102) sagt: „Das Recht des Familienvaters, seine Kinder in geziemender Ehrerbietung gegen die Einrichtungen des Christenthums zu erziehen, ohne daß sie genöthigt sind, Zeugen steter Uebertretung eines christlichen Grundgesetzes zu sein, das Recht, den Frieden und die gute Ordnung der Gesellschaft, sowie die erhöhte Sicherheit von Leben und Eigenthum zu genießen, welche aus einer angemessenen Sonntagsfeier erwächst; das Recht des Armen, ohne Abzug an seinem Lohne von seiner Arbeit zu ruhn, das Recht selbst des Thieres auf die Ruhe, welche seine Natur erfordert—sind wirkliche und wesentliche Rechte, und sind ebenfowohl Gegenstand des Schutzes der Regierung, wie irgend ein andres persönliches oder Eigenthumsrecht.“

„Doch, man schützt das Recht des Bürgers vor, den Sonntag vielmehr als einen Tag der Erholung und des Vergnügens anzusehen, denn als einen Tag der Ruhe und des Gottesdienstes. Man sagt ferner, Jeder, der dieser Ansicht zugethan sei, habe auch das Recht, ihr gemäß zu handeln und somit sich unschuldigen Vergnügungen und Erholungsmitteln hinzugeben. Diesem Satz finden wir nicht für nöthig zu widersprechen. Aber wer hat zu entscheiden, welche Vergnügungen und Spiele unschuldig sind, das ist: keinen schädlichen Einfluß auf die Gesellschaft üben, die öffentliche Ruhe und Stille nicht stören, und den ebenso geheiligten Gewissensrechten Anderer keinen Eintrag thun? Darf nicht die Legislatur erklären, welche Erholungsmittel gesetzlich erlaubt sind, und welche nicht? Wenn eine Menge Menschen am Sonntag in einem Theater und den damit verbundenen Trinkstuben zusammenströmt und sich den an solchen Orten gewöhnlich vorkommenden Gelegenheiten und Anlässen zur Unkeuschheit und andern Lastern hingibt, so hat die Legislatur

guten Grund zu erklären, daß dieß mit dem Frieden, der guten Ordnung und der Sicherheit der Stadt unverträglich sei. Ja, sie würde völlig berechtigt sein zu der Ansicht, daß ein solcher Ort „eine Pflanzstätte des Lasters sei, eine Vorschule, in der junge Männer für den Galgen und junge Weiber für das Bordell herangebildet werden.“ Doch was immer die Ansicht der Legislatur hierüber gewesen sein mag, der Gegenstand lag völlig im Bereich ihres Ermessens und Entscheidens, und ihr Wille muß als zureichender Grund des von ihr erlassenen Gesetzes gelten.

„Wenn wir auch wollten, so könnten wir doch über die Entscheidung der Legislatur nicht zu Gericht sitzen, noch die Zweckmäßigkeit ihrer Entscheidung in Zweifel ziehen. Wir können das nicht für unschuldig erklären, was sie für verderblich erachtet und deshalb verboten hat. Das fragliche Gesetz erklärt im Grunde bloß, daß ein Sonntagstheater etwas Unstößiges (a nuisance) sei, und behandelt es demgemäß. Die Verfassung hat solche Fälle vorgesehen, indem sie bestimmt, „die Gewissensfreiheit solle nicht so gedeutet werden, als ob damit Sittenlosigkeit entschuldigt oder Gewohnheiten gerechtfertigt werden dürften, welche sich mit dem Frieden und der Sicherheit des Staates nicht vertragen.“ Wenn nun die Legislatur erklärt, Sonntagstheater gehörten in die ebengenannte Kategorie, so spricht sie damit ein Urtheil aus, welches nur ihr allein zusteht. Das Gesetz ist offenbar der Verfassung gemäß, indem es sich mit dem Sonntag nur insofern beschäftigt, als er eine bürgerliche und politische Institution ist, ohne irgendwie religiösen Glauben und Gottesdienst zu berühren.

„Der auf Grund dieses Gesetzes gefällte Urtheilspruch ist somit ein gerechter und muß bestätigt werden.“

THE SABBATH IN WAR.

THE recent Document of the Sabbath Committee was entitled “*The Civil Sabbath Restored.*” The unanimity and strength of public sentiment evinced in popular demonstrations of different nationalities, by the Press, by Legislative votes, by the decisions of Courts and Juries, and by the action of Police authorities, and the consequent suppression of the most offensive forms of Sabbath desecration, seemed to justify the claim that this great bulwark of morals and self-government had been reëstablished. But civil war, in its wide sweep of evils, so involves this important interest as to constrain some precaution, lest, in the patriotic struggle for the security and perpetuity of our free institutions, there should be a fatal weakening of their permanent moral foundations. If we would save our country we must hold fast to our Sabbath.

No just interpretation of the law of the Sabbath would apply its provisions to the emergencies in individual or national life which involve vital interests and necessitate a resort to “the first law of nature.” “The Lord of the Sabbath” has placed this question beyond a doubt, by miracle and by express instruction. All that is *necessary* to the public safety in the gathering of troops and the movement of armies is innocent because of the necessity. And among a Sabbath-loving and a Sabbath-keeping people, there may well be a charitable judgment of any seeming latitude in the use of sacred time for war-like preparations in a season of unparalleled patriotic enthusiasm, aroused by the sudden apprehension of overwhelming national dangers.

But war does not repeal the law of the Sabbath. It remains written on the muscles and nerves that wield the weapons of the battle-field. It is inscribed on the moral nature of every competent volunteer. It flames from every soldier’s knapsack which contains — as every knapsack should — the Book of books. It influences the plans and the orders of every wise General in the army of a Christian Republic. Beyond the

line of necessity, mercy, and self-defence, the blessings and restraints of the Sabbath should visit and control the camp, as they comfort and overshadow the peaceful abodes of unarmed citizens. Thus may a citizen-soldiery escape the peculiar temptations of the tented-field; be nerved for heroic deeds; and return to their homes with such after record of their history as is given of Cromwell's army of Christian veterans: "Fifty thousand men, accustomed to the profession of arms, were at once thrown on the world. In a few months there remained not a trace indicating that the most formidable army in the world had been absorbed into the mass of community. The royalists themselves confessed that, in every department of honest industry, the discarded warrior prospered beyond other men, that none was charged with any theft or robbery, that none was heard to ask an alms, and that, if a baker, a mason, or a wagoner, attracted notice by his diligence and sobriety, he was in all probability one of Oliver's old soldiers."

An illustrious precedent for respecting the sanctity of the Sabbath in the camp, and for discountenancing the vices connected with its desecration, is furnished in our Revolutionary history. While the American army, about 20,000 strong, was defending New York city against 30,000 British troops, GENERAL WASHINGTON issued the following "general order," Aug. 3d, 1776:

"That the troops may have an opportunity of attending public worship, as well as to take some rest after the great fatigue they have gone through, the General, in future, excuses them from fatigue duty on Sundays, except at the ship-yards, or on special occasions, until further orders. The general is sorry to be informed, that the foolish and wicked practice of profane cursing and swearing, a vice hitherto little known in an American army, is growing into fashion. He hopes the officers will, by example as well as influence, endeavor to check it, and that both they and the men will reflect that we can have little hope of the blessing of Heaven on our arms, if we insult it by our impiety and folly. Added to this, it is a vice so mean and low, without any temptation, that every man of sense and character detests and despises it."—[*Sparks's Writings of Washington*, Vol. iv., p. 28.

But, whatever may be the rule for the camp, duty and safety alike require increased guards against Sabbath profanations among civilians in the time of war. Never more than when extraordinary cares and excitements almost madden the brain

and the deepest passions of the soul surge like the ocean, are the still Sabbath hours needed to restore exhausted natures, calm the fevered pulse, and compose the perturbed spirit. That patriotism will burn brightest and last longest which kindles its fires and renews while it chastens its inspirations at the altars of God.

And Society preëminently needs the protection of the civil Sabbath during the struggle which is to decide our national destiny. The tendencies of war are in the direction of demoralization and lawlessness. Intemperance, profanity, Sabbath-breaking and kindred vices follow in its train. Plots against the public peace and safety multiply. The day of popular leisure becomes the day of popular danger, unless laws guarding it from temptation and folly are discreetly but firmly enforced, with the approbation and support of all law abiding citizens.

It is to bespeak the coöperation of civil and military authorities, and of good citizens generally, in support of the orderly observance of the Lord's day, that this brief appeal is respectfully issued. In our struggle for the preservation of our Government, as in that for its Independence, we "can have little hope of the blessing of Heaven on our arms, if we insult it by our impiety and folly." But, whether the war shall be brief or protracted, if the "SIGN" of God's favor and of our fidelity shall abide, the blessings associated with it in promise, prophecy and providence shall be perpetuated through coming generations of prosperity and peace.

NORMAN WHITE, *Chairman.*

HENRY J. BAKER,	HORACE HOLDEN,	} <i>Sabbath Committee.</i>
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NATHAN BISHOP,	GUSTAV SCHWAB,	
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FRED. G. FOSTER,	F. S. WINSTON,	
DAVID HOADLEY,	O. E. WOOD,	

JAMES W. BEEKMAN, *Recording Secretary.*

RUSSELL S. COOK, *Corresponding Secretary.*

J. M. MORRISON, (President of Manhattan Bank,) *Treasurer.*

Suggestive Facts from Military Experience.

From the Boston Post.

"*Sunday at Fort Warren.* An order was issued by General Andrews forbidding the admission of visitors to the fort on Sunday last. As a consequence, according to the report of the officer of the day, 'the day passed off very quietly and orderly, and seemed more like the Sabbath than any since I have been here.' On Sunday evening Colonel Webster and the officers of the 12th Regiment sent the following letter :

HEAD QUARTERS 12th REGIMENT, INFANTRY. }
SUNDAY EVENING, JUNE 9, 1861. }

BRIG.-GEN. ANDREWS: My Dear Sir,—It gives me sincere pleasure to join with the officers of this regiment in offering you thanks for the pleasant, quiet, and home-like Sunday which has just closed.

It has been a day of most welcome rest to us all; it has reminded us of those scenes and associations, and those duties which in camp life are apt to be forgotten, and we have all felt that its influence has been most beneficial.

Very respectfully, your obedient servant,

FLETCHER WEBSTER, Col. 12th Regiment.' "

More and better work with weekly rest. William Wilbèrforce states that "During the war, it was proposed to work all Sunday in one of the royal manufactories, for continuance, not for occasional service; and it was found that the workmen who obtained Government's consent to abstain from working on Sundays executed more Work than the others."

CAPTAIN STANBURY, the leader of the United States Surveying expedition to the region of the Salt Lake, in his official report to the Government, bears this testimony to the value of the Sabbath: "I here beg to record, as the result of my experience derived not only from my present journey, but from the observation of many years spent in the performance of similar duties, that as a mere matter of pecuniary consideration, apart from all higher obligations, it is wise to keep the Sabbath. More work can be obtained from both men and animals by its observance, than where the whole seven days are uninterruptedly devoted to labor."

The commander of the forces on the Northern frontier, during the last war stated that, when building vessels, making roads, and performing other laborious service, it was not profitable to employ the men on the Sabbath, for it was found that they could not, in the course of the week do as much work.

The Minister of Marine, in France, has addressed a letter to all the Maritime Prefects, directing that no workman, except in case of absolute necessity, be employed in the government dock-yard on the Sabbath, for the reason that men who do not rest on the Sabbath do not perform as much labor during the week, and that thus it is not profitable to the State to have labor performed on that day.

GOOD MORALS AND THE SABBATH. The late Justice McLean, of the United States Supreme Court said: "Where there is no Christian Sabbath, there is no Christian Morality: and without this, free government cannot long be sustained."

CHIEF JUSTICE HALE, of England, said at the close of his long career: "Of all the persons who were convicted of capital crimes when I was on the bench, I found few only who would not confess, on inquiry, that they began their wickedness by a neglect of the duties of the Sabbath, and vicious conduct on that day."

The Police Records of the City of New York show that during eighteen months previous to the closing of the Sunday Dram-shops the arrests for drunkenness and crime were 25 per cent more on the Sabbath than on the average of the other days of the week; but when they were closed, Sunday arrests were forty per cent. less than other days, during a similar period of eighteen months,—an absolute diminution of 5,020 in the Sunday arrests.

Constitutional Basis of our Sunday Laws.

DECISION OF THE SUPREME COURT, FEBRUARY TERM, 1861, JUSTICES
Clerke, Sutherland and Allen.

In the case of GUSTAV LINDENMULLER, Plaintiff in Error, *vs.* THE PEOPLE, Defendants in Error, convicted under the Act of April, 1860, of giving dramatic representations on Sunday; the opinion of the Court was given May 29, '61. As the test case, and as involving important principles, the following *abstract* of the views of the Court will command deserved attention and general approbation. The full opinion is very elaborate and voluminous. Judge Allen is understood to be its author.

ALLEN J.—Christianity is part of the common law of this State, in the qualified sense that it is entitled to respect and protection as the acknowledged religion of the people. The right of unconstrained religious belief, and the proper expression of it, is guaranteed to all; but it must be exercised with strict regard to the equal rights of others; and when belief or unbelief leads to acts which interfere with the rights of conscience of those who represent the religion of the country as established—not by law, but by immemorial consent and usage—their acts may be restrained by legislation. If Christianity were established by law, it would be a civil or political institution, which it is not. It is in fact the religion of the people, and ever has been, and has been so recognized from the first by constitutional conventions, legislatures, and courts of justice.

It is not disputed that Christianity is a part of the common law of England. By the Constitution of 1777, the common law as it was then in force, subject to legislative changes, and with specified exceptions, was, and ever has been a part of the law of this State. The claim that the constitutional guarantees of religious liberty are inconsistent with the recognition of Christianity as the religion of the people, is repelled by the known character and history of the framers of the Constitution. They would not sacrifice their freedom or their religion. They and their forefathers were the friends and champions of both.

In the several Constitutions of 1777, 1821, and 1846, and in the proceedings of the constitutional conventions, there are abundant provisions and recitals very clearly recognizing some of the fundamental principles of the Christian religion—embodying the common faith of the community with its ministers and ordinances, existing without the aid of or political connection with the State; but as intimately connected with a good government, and the only sure basis of sound morals. These conventions also opened their meetings with prayer, observed the Christian Sabbath, and excepted that day from the time allowed to the Governor for returning bills to the Legislature.

The recognition of different denominations of Christians does not detract from the force of the recognition of Christianity as the religion of the people; but was intended to prevent the unnatural connection between Church and State. It was believed that Christianity would be purer and more prosperous by leaving

the individual conscience free and untrammelled; and "wisdom is justified of her children" in the experiment; which could hardly be said if blasphemy, sabbath-breaking, and kindred vices were protected by the Constitution. They prohibited a church establishment, and left every man free to worship God according to the dictates of his own conscience, or not to worship, as he pleases. But they did not suppose they had abolished the Sabbath as a day of rest for all, and of Christian worship for those who were disposed to engage in it, or deprived themselves of the power to protect religious worshippers from unseemly interruptions. Compulsory worship is prohibited and religious opinion is beyond the reach of law; but this liberty of conscience is entirely consistent with the existence in fact of the Christian religion, entitled to and enjoying the protection of the law. The public peace and safety are greatly dependent upon the protection of the religion of the country, and the preventing and punishing of offences against it, and acts subversive of it. The claim of the defense, carried to its necessary sequence, is, that the Bible and religion with all its ordinances, including the Sabbath, are as effectually abolished as they were in the Revolution of France, and so effectually abolished that duties may not be enforced as duties to the State, because they have been heretofore associated with acts of religious worship or connected with religious duties.

The opinion proceeds to cite the decisions in our own and other State Courts in support of the views expressed, and shows that in the constitutional convention of 1821, the question was intelligently discussed and settled by our most eminent jurists, so as to make the interpretation of Chancellor Kent, in the case of *The People vs. Ruggles*—that the Christian religion was the law of the land, in the sense that it was preferred over all other religions, and entitled to the recognition and protection of the temporal courts as the common law of the State—the fixed meaning of the Constitution. The Christian Sabbath, as one of the institutions of that religion, may be protected from desecration by such laws as the legislature may deem necessary to secure to the community the privilege of undisturbed worship, and to the day itself that outward respect and observance which may be deemed essential to the peace and good order of society; and this not as a duty to God, but as a duty to society and to the State. Upon this ground the law in question could be sustained; for the legislature are the sole judges of the acts to be prohibited with a view to the public peace, and as obstructing religious worship, or bringing into contempt the religious institutions of the people.

CIVIL BASIS OF SUNDAY LAWS.

As a civil and political institution, the establishment and regulation of a Sabbath is within the just power of the civil government. Older than our government, the framers of the Constitution did not abolish, alter, or weaken its sanction, but recognized, as they might otherwise have established it. It is a law of our nature that one day in seven should be observed as a time of relaxation, and experience proves a day of weekly rest to be "of admirable service to a State, considered merely as a civil institution." (4 Bl. Com. 63.) Physical laws accord with the decalogue. All interests require national uniformity in the day observed, and that its observance should be so far compulsory as to protect those who desire and are entitled to the day.

As a civil institution, the sanction of the day is at the option of the legislature; but it is fit that the Christian Sabbath should be observed by a Christian people, and it does not detract from the moral or legal sanction of a Statute that it

conforms to the law of God, as recognized by the great majority of the people. Existing here by common law, all that the legislature attempts to do is to regulate its observance. The common law recognizes the day; contracts, land redemption, etc., maturing on Sunday, must be performed on Saturday or Monday. Judicial acts on the Sabbath are mostly illegal. Work done on Sunday cannot be recovered for, etc.

The Christian Sabbath is, then, one of the civil institutions of the State, to which the business and duties of life are by the common law made to conform and adapt themselves. Nor is it a violation of the rights of conscience of any that the Sabbath of the people, immemorially enjoyed, sanctioned by common law, and recognized in the Constitution, should be respected and protected by the law-making power.

The existence of the Sabbath as a civil institution being conceded, as it must be, the right of the legislature to control and regulate it and its observance is a necessary sequence. Precedents are found in the statutes of every government really or nominally Christian, from the period of Athelstan to the present day. Even the "Book of Sports" of James I., to which our attention has been called, prohibited as unlawful certain games and sports on Sunday—"interludes" included: so that Lindenmuller's theatre would have been proscribed even by the Royal "Book of Sports."

Nearly all the States of the Union have passed laws against sabbath-breaking and prohibiting secular pursuits on that day; and in none have they been held repugnant to the Constitution, with the exception of California; while in most States the legislature has been upheld by the Courts and sustained by well-reasoned opinions.

As the Sabbath is older than the government, and has been legislated upon by colonial and early State authorities, if there were any doubt about the meaning of the Constitution securing freedom in religion, the cotemporaneous and continued acts of the legislature under it would be very good evidence of the intent of its framers, and of the people who adopted it as their fundamental law. From 1788, downward, various statutes have been in force to prevent Sabbath desecration, and prohibiting acts upon that day which would have been lawful on other days. Early in the history of the State government, the objections made to the act of 1860 were taken before the Council of Revision to an act which undertook to regulate Sabbath observance. The Council overruled the objections, and held them not well taken. The act now complained of compels no religious observance, and offences against it are punishable not as sins against God, but as injurious to society. It rests upon the same foundation as a multitude of other statutes—such as those against gambling, lotteries, horse-racing, etc.—laws which do restrain the citizen and deprive him of some of his rights; but the legislature have the right to prohibit acts injurious to the public, subversive of the government, and which tend to the destruction of the morals of the people, and to disturb the peace and good order of society. It is exclusively for the legislature to determine what acts should be prohibited as dangerous to the community. Give every one what are claimed as natural rights, and the list of *mala prohibita* of every civilized State would disappear, and civil offences would be confined to those acts which are *mala in se*; and a man may go naked through the streets, establish houses of prostitution, and keep a faro table on every street corner. This would be repugnant to every idea of a civilized government. It is the right of the citizen to be protected from offences against decency and against acts which tend to corrupt the morals

and debase the moral sense of the community. It is the right of the citizen that the Sabbath, as a civil institution, should be kept in a way not inconsistent with its purpose and the necessity out of which it grew as a day of rest, rather than as a day of riot and disorder, which would be to overthrow it and render it a curse rather than a blessing.

But it is urged that it is the right of the citizen to regard the Sabbath as a day of innocent recreation and amusement. Who, then, is to judge and decide what amusements and pastimes are innocent, as having no direct or indirect baneful influence upon community; as not in any way disturbing the peace and quiet of the public; as not interfering with the equally sacred rights of conscience of others? May not the legislature, like James I. cited to us as a precedent, declare what recreations are lawful and what are not lawful, as tending to a breach of the peace, or a corruption of the morals of the people? That is not innocent which may operate injuriously upon the morals of old or young, which tends to interrupt the quiet worship of the Sabbath, and which grievously offends the moral sense of the community, and thus tends to a breach of the peace. It may well be that the legislature thought that a Sunday theatre, with its drinking saloons and its usual inducements to licentiousness and other kindred vices, was not consistent with the peace, good order, and safety of the city. They might well be of the opinion that such a place would be "a nursery of vice, a school of preparation to qualify young men for the gallows and young women for the brothel." But whatever the reason may have been, it was a matter within the legislative discretion and power, and their will must stand as the reason of the law.

We could not, if we would, declare that innocent which they have adjudged baneful, and have so prohibited. The act in substance declares a Sunday theatre to be a nuisance, and deals with it as such. The Constitution provides for this case, by declaring that the liberty of conscience secured by it "shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the State." The legislature place Sunday theatres in this category, and they are the sole judges. The act is clearly constitutional as dealing with and having respect to the Sabbath as a civil and political institution, and not affecting to interfere with religious belief or worship, faith or practice.

It was conceded upon the argument that the legislature could entirely prohibit theatrical exhibitions. This, I think, yields the whole argument; for, as the whole includes all its parts, the power of total suppression includes the power of regulation and partial suppression.

[We omit the discussion of minor questions, for want of space.]

The conviction was right, and the judgment must be affirmed.

Plea for the Sabbath in War.

CHRISTIAN PATRIOTS are solicitous that the existing war may be so conducted as to secure the *right* of our citizen soldiers to their wonted day of rest and worship, and so as to avoid all needless invasion of public morals. A jealous care for the permanent moral foundations of our free institutions should assuredly characterize the struggle for their perpetuation.

The movements of our armies are familiarly known. For some unexplained reason, they have too commonly trenched on the Christian Sabbath. The engagement at Great Bethel began on Sunday night, June 9. The great battle at Bull Run was fought on Sunday, July 21. The manœuvres of the army of the Upper Potomac were mostly on Sunday. Forts and Camps have been made the places of holiday Sunday resort over the land; and that seems to have been the favorite day of departure from the army depots for the theatre of war. Take the following *itinerary* from the army correspondence of the *Times* :

“I presume this regiment will come home next *Sunday*. I judge so from the fact that most of its movements have been on *Sunday*. It left New York on *Sunday*—went into Virginia on *Sunday*—came back on *Sunday*—moved to Hagerstown on *Sunday*—moved to Bunker Hill on *Sunday*—moved to Charlestown on *Sunday*—moved out of Harper’s Ferry on *Sunday*—and I presume next *Sunday* will be borrowed to end the campaign on *Sunday*. *Not in one single instance has there seemed to be any public danger or necessity to call for such a habitual and continuous disregard of the Sabbath day.*”

The correspondent of the New York *Tribune* thus comments on the same facts: “*The Sabbath has been signalized throughout the campaign as the day for making nearly all important movements of the army;*” and he contrasts the Sunday opening and closing of the campaign: “Then they (the soldiers) were impetuous and enthusiastic: now they are returning home after a fruitless campaign,” etc.

We need not multiply the evidences of a painful disregard of the Lord’s Day in the marshalling and manœuvring of our armies. It does not become us to comment on the military results of these movements. We would gladly believe that military necessities more

obvious than those that meet the public eye have constrained some of "the important movements of the army,"—in so far qualifying the testimony quoted above; and we would have it borne in mind that the statements before us mostly relate to but a single wing of our extended forces. But, at the best, it is a sad, ineffacable record. Military reverses may be retrieved and turned into victories; Christian patriotism, however, can only deprecate and weep over the inconsistency and the wrong of irreverent dealing with an institution hallowed by the most sacred associations, at the very outset of a conflict in which the best sympathies and energies of the Christian community are enlisted. We do but echo the voice of American Christianity when we urge, that there may be *a respectful observance of the Lord's Day in the future conduct of the armies of this Christian Republic.*

The mischievous maxim—*leges silent inter arma*: laws are silent in war—is worthy of its heathenish Latin origin: it deserves no place in the ethics of a Christian Republic; certainly none in a war "to restore the supremacy of the laws." War is enough of a scourge, even when the wonted restraints of human and divine laws continue to curb evil passions; but under free, self-governing institutions, with no guarantee but law for individual or public security, the assertion of the principle that war absolves from legal and moral obligations is equivalent to the claim that war, anarchy, barbarism, are synonymous terms. We know of no adequate authority for singling out the Christian Sabbath from the moral code, or from the civil statutes, as preëminently the victim of war. Is it because European armies have made it their battle-day? True, many of the great battles of the Continent have been fought on Sunday, by the standing armies of kings and emperors—often, as at Waterloo, ending in the defeat of the assailing army. But it is also true, that Sunday is the favorite day for military reviews, civic parades, and holiday sports, in peace as in war; and it is further notoriously true, that the nations thus habitually trifling with sacred time furnish no such example of moral or political advancement as to commend their no-Sunday views or acts to our emulation, either in peace or war. Until we are prepared to accept their despotic forms of government, and their vast standing armies, and their depraved condition of public morals—the necessary correlatives of their no-Sunday regime—we see not that it is safe or wise to plead their Sunday fighting as the precedent or justification of our needless Sunday war movements and battles. It is certain that our own military annals do not encourage aggressive warfare on the Lord's Day: for it was on that day that Montgomery was defeated and slain at Quebec; that the battle of Monmouth was waged at least fruitlessly; that

the engagement on Lake Champlain resulted in victory to the assailed American fleet; and that the British forces were routed in their attack on New Orleans. Great Bethel and Bull Run are of to-day.

But we claim no warrant from these or other data for interpreting specific providences as divine judgments on specific offences. Certain great principles of the divine economy are clearly revealed in the Word, and illustrated by the Providence of God. The whole scope of history is concurrent with the recorded design of Jehovah that His Name and His Day and His Son should be known and revered among men and nations. He reigns. He honors those who honor Him. His frowns rest on those who despise His will. "Righteousness exalteth a nation; but sin is a reproach to any people." Nations, communities, corporations experience an earthly retribution alone—individuals meeting their several deserts at the great day for unrepented complicity with associated wrong-doing. We would not presume to judge of the sweep of such principles in their application to specific wrongs, however promptly an apparent disaster may follow apparent impiety and folly. "God is his own interpreter." We dare not seek to penetrate His counsels, or inscribe His thunderbolts. We do not feel authorised to associate Sunday battles with Sunday defeats, and "all important movements of the army on Sunday" with a humiliating "fruitless campaign," as unquestionable judgments of Heaven: *nor is there any warrant for denying that they are.* But we have an undoubted warrant for the claim that the Lord's Day is in the keeping of a wise and holy Providence; and that men, armies, and nations trample on that day at their peril.

We may further premise that we cherish no views of the sanctity of the Sabbath that would restrain an army from all necessary arrangements for health or comfort, or for its own and the public safety. It may defend itself when assailed, and march troops to reinforce an imperilled position. All necessary and beneficent acts, dictated by a prudent regard for the national security and the well-being of the army, may have the sanction of a commanding officer, without contravening the law of the Sabbath. Nor will the thousand details that enter into the administration of military affairs be difficult of adjustment, when subordinated to a wise and inflexible purpose to "Remember the Sabbath-day."

These things being premised, we base our plea for the due observance of the Sabbath in the further conduct of our armies, on the broad ground of the physical and moral needs of the army; a just respect for the rights and feelings of the Christian community, and,

more than all, a becoming regard for the Divine Law and for the favor and blessing of God.

Our soldiers need a Sabbath. The drill and discipline of the camp, the building of entrenchments, the marchings and countermarchings, the picket, scout, and guard duties of an army in the field, are no holiday pastimes. There is hard work and a plenty of it; and where there is work there must be rest—periodical rest. It remains to be proved that there is any other or better apportionment of time for alternate labor and rest in an army than that defined by infinite wisdom “for man.” And it has been proved, in military and civil life, that men will do more and better work in six days of labor and one of rest, than in the entire seven days of unintermitted toil. So that the actual efficiency of troops is not only consistent with the concession of their *right* to a weekly rest-day, but would be enhanced by it. Why, then, should not the whole army, under ordinary circumstances, have a whole day of rest every week?

But an American army is composed of something besides “muscle.” Our bayonets think. There are moral natures to be moulded or restrained by influences suited to them, or perverted and ruined by the atmosphere of the camp. It was the recorded experience of Washington: “The better the man the better the soldier.” The “Army Regulations” recognize this principle, and embrace many wise provisions for the moral benefit of the army, including those respecting chaplains, divine worship, reverent speech, sobriety, etc. But it has been well said by an incumbent of the U. S. Supreme Court, that “where there is no Christian Sabbath there is no Christian morality.” And until the officers of the army seek by example and regulation to bring their soldiers under the instructions and restraints appropriate to the sacred day, they have little right to expect a strict regard for discipline, and cannot hope for that principled courage which is ever invincible. Then, too, the peculiar structure of our armies presents a plea for Sabbath privileges. They are largely composed of the sons of moral and religious households. In a greater degree than ever before, the soldiers themselves are Christian men. Is it not due alike to them and their friends, that among the many temptations and trials of the camp, this heaven-appointed safeguard of their home habits and of their faith shall not be taken from them? Nay, is it not due to the tens of thousands of communities from which they have been garnered into the camp, that they shall not be sent back at last a Sabbath-breaking, demoralized band, to scatter broadcast the seeds of vice and iniquity over the land? What we need, and what the material of our forces largely provides for, is a brave, orderly, well-disciplined, law-abiding, God-fearing army—an army that neither breaks its lines nor breaks its Sabbaths.

It was such an army that the inspiring "general order" of WASHINGTON contemplated when he wrote, July 9, 1776 :

"The General hopes and trusts that *every officer and man will endeavor to live and act as becomes a Christian soldier*, defending the dearest rights and liberties of his country."

But the honor of our country and the rights of Christian citizens are concerned in this question. This is a Christian nation in its history, civilization, laws, and customs. Christianity, with its Sabbath, is recognized and protected as the prevailing religion, and as a part of the common law of the land. Sunday observance is so inwrought into the very texture of our political, social, and religious life as to form the distinctive national feature, in the view of foreign immigrants and tourists.

Should not this great fact have its influence on our army of American volunteers? Why should the military arm of government set at naught legislative and judicial guards of public morals; disregard the common law; and ignore the cherished rights of Christian citizens? The army is not an independent, irresponsible body. It may not forget the character, antecedents, and institutions of the country it defends. It embodies the power and upholds the honor and rights of a Christian people. But it is no more competent to pollute and destroy its Sabbaths than to burn its churches, or confiscate the property, or incarcerate the persons of good and loyal citizens.

The impolicy of this careless dealing with sacred time would seem to be obvious. Does it not directly tend to impair the confidence and support of a vast body of citizens, whose means and favor the army and the government have prodigally shared, and whose confidence and aid they can ill afford to lose? Does it not tend to strengthen rebellion, by its apparent justification of the plea of demagogues, that the "invasion" of the South is by "infidel hordes," bringing with it "the withering influence of the infidelity of New England and Germany combined?" Is it good generalship to weaken our friends and strengthen our enemies by a policy that has no sanction of law, conscience, or common sense?

But it is as wrong as it is impolitic. It is wholly inconsistent not only with our history, genius and habits as a people, but with the avowed objects of the war. Our armies enter the field to put down a gigantic rebellion, the offspring of ambition and the precursor of anarchy. They are ranged under a banner inscribed "The Union, the Constitution, and the enforcement of the Laws." Never had an army a higher, nobler mission. How shall it be executed? Is it right or expedient to begin and prosecute the work of restoring "the supremacy of the Laws" by trifling with the Deca-

logue? To suppress rebellion by rebellion against the Most High? To quench the flames that threaten our political edifice, by tearing away the dykes that prevent the waves of vice and godlessness from overwhelming society? To put into conflict or competition loyalty to the government and loyalty to the King of kings?

It is wrong, moreover, in doing violence to the conscientious Christian sentiment of the nation. Libertines may regard that sentiment as "straight-laced," "Puritanical," "superstitious," or what they will. But the government and all who fight under its banner must know that it *exists*, and that it has existed for generations, in no indiscriminate or unintelligent form, and in such strength as to have shaped our legislation and to have formed our national character and habits. It is more potent and enlightened now than ever before. It is patient under wrongs and charitable in its judgments. But it comprehends the sweeping moral pestilence of a vast Sabbath-breaking army, in open defiance of its cherished principles and its holiest convictions. True bravery will hesitate to array itself against true religion.

It is further wrong, because such repeated, public violations of the Sabbath expose the country to the visitations of the divine displeasure. It has been conceded that specific disasters following specific wrongs may not be necessarily interpreted as divine judgments. But that public and national sins bring national calamities is the teaching of revelation and of history. And we must blot out the record of the divine dealing with ancient Israel, and with it the history of all Christian nations; and we must shut our eyes to the existing condition of Christendom, before we can deny that the Sabbath is a "SIGN" between its Author and the nations, or that He blesses the nations that keep and frowns on those that trample on the Lord's Day. How or when His judgments may fall is among the "secret things" that belong unto God: that they will fall is as certain as that God reigns. The artillery of Providence is none the less terrible that its bolts come from invisible batteries. To brave omnipotence is madness.

Our final plea for restraining further violations of the Sabbath is based on the dependence of the nation and its armies on the divine favor and blessing. That dependence is absolute. No wisdom of rulers, no strength of armies, no energy or devotion of the people, will avail in the conflict before us, if our God, our father's God, be not with us. It is not true that "Providence *always* favors the heaviest battalions;" else we were still subjects of the British crown. It *is* true that "except the Lord keep the city, the watchman waketh but in vain." For, "We have heard with our ears, O God, our fathers have told us what work Thou didst in their days, in the times of

old. . . . For they got not the land in possession by their own sword, neither did their own arm save them: but thy right hand and thine arm, and the light of thy countenance, *because thou hadst a favor unto them.*" We cannot recover and save the land without "the right hand" of the same Almighty Ally in whom our fathers trusted.

But on what ground may we base our hope of the divine favor, if we condemn the divine authority? "WE CAN HAVE LITTLE HOPE OF THE BLESSING OF HEAVEN ON OUR ARMS, IF WE INSULT IT BY OUR IMPIETY AND FOLLY," are the very words of WASHINGTON, in a general order to the Revolutionary Army relative to the Sabbath and to profane swearing. They are words of wise admonition to the officers and men of the Army of Restoration. Heaven is insulted by no "impiety and folly" more daring than the needless, wanton desecration of the Lord's Day; and "the blessing of Heaven on our arms" can be alienated in no surer or speedier way than this. Now, as in olden time, promises and threatenings alike guard the sacred day. "If ye will not hearken unto me to hallow the Sabbath day, . . . then I will kindle a fire in the gates, and it shall not be quenched." "If thou turn away thy foot from doing thy pleasure on my holy day, and call the Sabbath a delight, . . . I will cause thee to ride upon the high places of the earth, and feed thee with the heritage of thy father; for the mouth of the Lord hath spoken it."

Our plea is ended. We submit it, with profound respect, to the Chief Magistrate of the United States, whose affecting appeal to the Christian heart of the nation for prayer and sympathy in the great crisis of his own and the nation's life still rings in the ears of millions. Is it too much to ask, in return, that the armies of which he is the commander-in-chief, may not be suffered needlessly to trample on the very heart-strings that yet vibrate to his voice?

We submit it to the venerable Lieutenant-General, whose brilliant military career has been unstained by inhumanity or irreverence, and whose regard for the Sabbath and for sacred things would add the weight of example to such a general order as the emergency demands—such an one as Washington issued*—restraining the profanation of the Lord's Day and name, during the existing war.

* *"That the troops may have an opportunity of attending public worship, as well as to take some rest after the great fatigue they have gone through, the General, in future, excuses them from fatigue duty on Sundays, except at the ship-yards, or on special occasions, until further orders. The general is sorry to be informed, that the foolish and wicked practice of profane cursing and swearing, a vice hitherto little known in an American army, is growing into fashion. He hopes the officers will, by example as well as influence, endeavor to check it, and that both they and the men will reflect that we can have little hope of the blessing of Heaven on our arms, if we insult it by our impiety and folly. Added to this, it is a vice so mean and low, without any temptation, that every man of sense and character detests and despises it."*—[Sparks' *Writings of Washington*, Vol. iv., p. 28.]

We submit it to the young and gallant General, whose career begins just when Sabbath desecration and consequent license has culminated in disaster; and whose character and history warrant the hope, that there will be no more Sunday battles, unless inaugurated by armed rebels, and no more needless war on the Sabbath.

We submit it to the several Commanders of Divisions, Brigades, and Regiments, by whose orders the movements of troops are directed, and on whom the responsibility of any organized invasion of holy time must rest; respectfully entreating them, and each of them, to consider well whether the first element of efficient *command* is not a capacity and disposition to *obey*?

We submit it to the Armies of the Republic, as an humble plea for their *right* to a weekly season of rest and worship; and we appeal to each soldier so to discharge the duties bound up with the right that both may be a blessing and an honor.

We submit it to the Christian Patriots of the country, as embodying what we believe to be just and tenable views on a grave practical question of our times. While we would not be outdone in patriotic devotion to our beneficent government and our glorious civil institutions, we cannot sacrifice our Sabbath and our Gospel. With these no nation can be long enslaved: without these no nation was ever free. The grave that entombs our Sabbaths will cover our liberal Institutions. Shall we not seek to avert the doom of godless nations, and give earnest and timely heed to the voice of Infinite Wisdom? "I am the Lord your God; walk in my statutes, and keep my judgments, and do them; and *hallow my Sabbaths; and they shall be a sign between me and you, that ye may know that I am the Lord your God.*"


NORMAN WHITE, *Chairman.*

HENRY J. BAKER,	HORACE HOLDEN,	} <i>Sabbath Committee.</i>
E. L. BEADLE, M. D.,	JNO. E. PARSONS,	
NATHAN BISHOP,	GUSTAV SCHWAB,	
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J. M. MORRISON, (President of Manhattan Bank,) *Treasurer.*

 *Office of the Sabbath Committee, No. 21 Bible-House, New York.*

THE SABBATH AND THE PULPIT.

Circular Letter of the Sabbath Committee to the Clergy.

NEW YORK, NOV. 20, 1861.

REV. AND DEAR SIR :

If we interpret aright the providences of God and the currents of public sentiment, we have reached a stage of the Sabbath Reform eminently favorable to the advocacy and general recognition of the civil and religious claims of the sacred day. The cheering results of recent efforts, under the divine blessing, in the recovery of our Sabbath from the hordes of newsboys, dram-sellers, and theatre-keepers; in the enactment, enforcement, and final establishment of adequate Sunday laws; and in the inauguration of a Sabbath-keeping *regime* in our armies, under the auspices of the popular General-in-Chief, would seem to furnish a vantage ground for the friends of the Sabbath which they can ill afford to lose. It may be doubted, indeed, whether the Sunday question ever stood before the country in less prejudiced aspects, or in a light more favorable for its candid consideration. It is certain that no previous period in our history has made more imperative demands for the conservation of this and kindred institutions which underlie and are vital to our system of self-government.

It would ill become a committee of laymen to attempt to magnify the relations of the Christian Sabbath, in a letter addressed to the ministers of the gospel. We may assume that an interest divinely associated with the very being and prosperity of the Church and the Pulpit—the one, indeed, most prominently and persistently assailed by the enemies of the gospel—holds a foremost place in the love and labors of the ambassadors of Christ. The most, then, that consists with propriety, would seem to be the suggestion of such practical views as have grown out of protracted dealing with this question, in a most difficult field: presented solely as encouragements and incentives to effort for the general sanctification of the Lord's Day.

No cause suffers more, on the one hand by neglect, and on the other by indiscretion, than that of the Sabbath. A community may lapse into the grossest habits of Sabbath profanation through the

timidity or indifference of the friends of the Lord's Day; and ill-digested, spasmodic efforts at reform only tend to increase the evil. But, with the traditions, customs, and laws of the land as defences of the rights of Christian citizens in this regard, and with a profound reverence for its sacred character pervading the Christian community, no practical reform is more feasible, in our view, than that for securing a proper observance of the Lord's Day, if wisely and patiently prosecuted. Every enlightened conscience takes the side of the Sabbath. All men, unless wedded to vice and folly, concede its social, sanitary, and humane benefits, and may be won to the acceptance of the restraints necessary to its popular enjoyment. It is only when its civil and religious claims are confounded, and men are made to believe that the *religious* observance of the Sabbath is to be constrained by law, that they oppose the requisite legal protection of the rights of communities and of all Christian citizens to their quiet Sabbaths. Let it be distinctly understood that Sunday laws are enacted and enforced solely in the interest of good order and public morals, and for the protection of inalienable *rights*, while the religious observance of the day is left to the voluntary prompting of the conscience enlightened by the Word and Spirit of God, and prejudice and error are disarmed.

A condensed statement of the facts and methods of the Sabbath Reform in this city may furnish valuable hints for other localities. It is not easy to exaggerate the deplorable and apparently hopeless condition of things here four years ago. The change already effected seems scarcely credible to ourselves. Then, Sunday laws were as obsolete and inoperative in New York as in Vienna: nobody attempted or expected their enforcement. Now, they are as efficiently executed as other statutes, with the cordial approval of our citizens generally. Then, hundreds of newsboys overran the city every Sabbath, disturbing the peace of the whole population; now, the nuisance is abated, and most of our streets are as quiet as those of a country village. Then, more than 5,000 dram-shops plied their deadly traffic openly and without hinderance; now, their doors and shutters are generally closed, and if liquors are sold, it is by stealth, and at the hazard of instant arrest for the misdemeanor. Then, a score of theatres made Sunday their chief day of profit and pleasure, with no adequate law to restrain them; now, a stringent law is on our statute book, its constitutionality affirmed, and its penalties inflicted, in spite of the most powerful combinations. Then, the arrests for Sunday crime exceeded the average by 25 per cent.; now, the week-day arrests are 50 per cent. more than on Sundays. Then, the secular press ignored the Sunday question as foreign to its objects; since and now, the entire press of the city, uninterested

in Sunday issues—with perhaps a single exception—has been and is earnestly enlisted in support of this reform. Then, the entire German population was claimed to be wedded to Sunday pastimes and opposed to American Sabbath restraints; now, a large and influential body of Germans are avowedly friendly to the due observance of the Lord's Day, and actively hostile to the demoralizing views and customs of the beer-garden classes. In a word, the more offensive forms of Sabbath desecration have been suppressed, in the face of the most virulent opposition of interested parties, by the coöperation of the orderly classes with the public authorities. And a permanent foundation has been laid for all needed future action—legislative, judicial, or executive—for the protection of our civil Sabbath.

In effecting these results, under the favor of God, certain well-defined principles of action have been pursued. (1.) Every measure has been entered upon with extreme deliberation, and after the most careful survey of the ground. (2.) Each issue has been chosen and adhered to by the friends of the Sabbath—the many attempts at diversion or distraction on the part of its enemies having been steadily ignored; and each has been substantially finished before another has been entered on. Many evils have been long endured, and are still tolerated, till they might be assailed with the reasonable hope of their suppression. Sometimes the conquest of a single fortress carries a whole line of defences, or one battle decides a campaign. (3.) Our aim has been to make such issues, and so to present them, as to constrain the support of all right-minded citizens, whether professedly Christian or not, and to leave the enemies of Sunday order with no other allies than palpable self-interest and vicious indulgence. It was believed, and it has proven, that this policy might lead hundreds of thousands to the support of the claims and restraints of the civil Sabbath, and thus predispose them to a candid consideration of its religious obligations; when the obtrusion of its religious aspects, while dealing with practical civil reforms, would only tend to alienate and disgust. (4.) In view of the obvious fact that, under our form of government, laws are operative and reforms substantial only in the measure in which they are sustained by public sentiment, it has been a prime object to enlighten, quicken, and conciliate that sentiment. The series of Sabbath documents, now numbering twenty, has been prepared and circulated gratuitously among thousands of our citizens, with this end in view. They have furnished the basis and the material for newspaper discussions. They have enabled our authorities to understand the scope and motives of the reform. They have scattered its seeds in other communities, in this and other lands. They have rendered the efforts of the unscrupulous Sunday press to

misrepresent our objects or to change our issues quite abortive, while they have furnished the only vindication necessary against the libels of that press. Their candid and moderate tone, and their freedom from personalities, have tended to disarm opposition and to conciliate the friendly feeling of all good citizens. (5.) It has been our steady aim to encourage and support the public authorities, constantly consulting with them, and seeking to aid them by the assured coöperation of our influential citizens. They have thus been stimulated to praiseworthy zeal, and have found their reward of well-doing in augmented vigor and self-respect, in rapidly diminished crime, and in the increasing regard of all classes of the community. This cordial and active coöperation of leading citizens with public authorities, solely for the public good, if it be unusual—as it should not be—is far from being unwelcome. (6.) Needless publicity of the agency of the Committee in measures of reform has been avoided. Unnecessary agitation, by public meetings, etc., has been shunned. Quiet, unobtrusive, efficient action has been aimed at. To do substantial good, by prudent Christian methods, has been our sole ambition. (7.) The expenses of this movement, which have not been inconsiderable, have been wholly defrayed by a few private donations, it having been deemed inexpedient to complicate and perhaps prejudice important public issues with pecuniary appeals.

To this frank statement it should be added, that without the existence of that deep love for the Lord's Day for its religious uses and benefits which pervades the ministry and the Churches, and which formed all along the reserved strength of this reform, the attempt to restore our civil Sabbath would have been hopeless. It is so everywhere: civil rights glide away where they have not the anchorage of religious principle.

It is, then, in behalf of the continued civil and social blessings of the Christian Sabbath, as well as in the interest of its higher spiritual benefits, that we venture to appeal to you and to the clergy throughout the land, to lend the full measure of your influence, in the Pulpit, and in all suitable ways out of it, to the defense and sanctification of the Lord's Day. Our experience encourages the belief that a wise and manly resistance of Sabbath profanations in any community will, with the promised blessing from on High, result in their suppression; so that their continuance any where indicates delinquency in duty of Christian men, as much as of civil authorities. While in the great work of expounding the divine law of the Sabbath and enforcing its claims on the intelligent, conscientious convictions of the Church-going community, the ministry and the religious Press have the chief responsibility. The Committee have

not deemed it wise or necessary to discuss the topics coming within the special province of the pulpit. They are entrusted to worthy hands. We only solicit that vigorous and prudent coöperation of the clergy which we are confident your sense of duty and love for a sacred interest will prompt, and which will greatly strengthen the hands of all who may apply themselves to practical reforms in Sabbath observance. And we respectfully urge early attention to this interest because of the apparently hopeful juncture for indoctrinating the public mind with just Scriptural views of the Sabbath, and for effecting whatever reforms may be demanded in the community in which your public office is discharged.

May we be allowed to suggest that in cities and large communities concert of action among the clergy of various denominations and their leading citizens is highly desirable; and that in all communities practical action should be preceded by patient, pains-taking investigation and preparation of the public mind. Instead of the diffused, indefinite responsibility, which is the parent of inaction and the warrant for license and disorder, there should be concentration—method—perseverance—practical wisdom—applied to the preservation and advancement of an interest vital to the being of sound morals and true religion, and to the well-being of our precious civil and religious institutions.

Commending this whole subject to your prayerful consideration, and proffering our documents, correspondence and coöperation,

We are, Rev. and dear Sir,

Your humble fellow laborers in the Lord's
Vineyard for the Lord's Day,

	NORMAN WHITE, <i>Chairman.</i>	
HENRY J. BAKER,	HORACE HOLDEN,	} <i>Sabbath's Committee.</i>
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J. M. MORRISON, (<i>President of Manhattan Bank,</i>) <i>Treasurer.</i>		

Action of Clerical Bodies on the Sunday Question.

RESOLUTIONS OF MORE THAN 100 CLERGYMEN, NEW YORK, JAN. 25, 1858.

Resolved, That the day of holy rest, to a land bearing a Christian name, and to a republic based on equal rights, has the highest CIVIL WORTH. Man needs it, *physically*, as a season when Labor may wipe off its grime, and breathe more freely after the week's exhaustion, and when Care shall slacken its hold upon the frame and the heart. Man needs it, *morally*, to rise by its aid out of engrossing secularities and materialism to the remembrance of his spiritual interests, his final account, and his eternal destiny. *Toil* needs it to rescue its share of rest, and its season of devotion from the absorbing despotism of Capital; and *Capital* needs it, to shield its own accumulations from the recklessness and anarchy of an inbruted and desperate proletariat, and to keep its own humanity and conscientiousness alive. The *State* needs it, as a safeguard of the public order, quiet, and virtue; human laws becoming, however wise in form, effete in practice, except as they are based upon conscience and upon the sanctions of Eternity, as recognized voluntarily by an intelligent people; and God's day cultivating the one, and reminding us of the other. And in a *Republic* more especially, whose liberties, under God, inhere in its virtues, the recognition—freely and devoutly, by an instructed nation—of God's paramount rights, is the moral underpinning requisite to sustain the superstructure of man's rights; and without such support from religion—not as nationally established, but as personally and freely accepted—all human freedom finally moulders and topples into irretrievable ruin.

That, as to its RELIGIOUS VALUE, this day of sacred rest has the strongest claims upon all Christians, however differing as to its true origin, and whether they trace it back to Eden, to Sinai, or to the Saviour's tomb, as finding there its real commencement. They need the observance of the day, as the season of their assemblies and ordinances, and as furnishing one great bond of their fraternal communion. In its relations to this world, the Church requires it to conserve and to extend its religious influence, and as the channel of a yet wider evangelization. In its relations to the heavenly world, the Church needs it for its collective prayers, intercessions, and thanksgivings; and that thus it may embody the image and enjoy the antepast of the endless rest to which it aspires in right of Christ's victory, on this day consummated, over Sin, Death, and Hell. And the God, who is the Giver of all time, never having surrendered to ordinary uses this His own reserved season, the infraction by man of God's claims here is ingratitude, attempting robbery and perpetrating sacrilege, as against a Bounteous and Sovereign Creator.

That, as REMEDIAL MEASURES against the evils invading us—apart from all present appeal to the civil statutes which guard the quiet enjoyment of the day by a Christian people—Christians, generally, are called, in the way of conference, coöperation, and personal example, to protest with patient and earnest consistency against the varied and widely diffused encroachments which threaten the demolition of the Christian Sabbath: and to diffuse, in tracts and volumes, their best testimony for the institution: And that pastors are especially summoned, by the times, to present from the pulpit the rights of the Sabbath, and its bearings not only upon the cause of truth and piety, but as well also upon the interests of order, thrift, health, morality, and freedom: And that the faith which hails in the Giver and Guardian of this day, the Legislator and Owner of the Universe, may well expect His ultimate and unfailing benediction upon all prudent and kindly endeavors to assert the interests of man and the claims of God in this great question.

THE GENERAL ASSEMBLY OF THE PRESBYTERIAN CHURCH [O. S.] adopted the following minute, Philadelphia, May 25, 1861 :

"The Assembly having listened with pleasure to the secretary of the 'Sabbath Committee' of New York city, congratulates that committee upon the success which, under the prospering and guiding hand of God, has attended its efforts to restore to that city the 'civil Sabbath,' and rescue that day from desecration and criminal perversion, by the enforcement of proper Sabbath laws, enacted not to coerce the conscience of any, but to protect all in the enjoyment of precious civil rights. As a Christian people, the Sabbath belongs to us as of right, and as a part of our heritage, and of our institutions, and is as real and substantial a right as any known to the laws.

"The observance of the Christian Sabbath as a day of religious rest ordained of God, is enjoined upon all as a Christian duty; and the observance of one day in seven as a day of rest from labor and secular employments, is a physical necessity imposed by a law of our nature, which thus adds its sanction to the express command of God. As a civil institution the Sabbath is deeply interwoven with the foundations of civil government, and its sanctions are indispensable to the stability and prosperity of a nation. God honors that nation that honors his Sabbath. And may it not be that one reason of the controversy which he now manifestly has with us, is that, although professedly a Christian nation, we have not honored his day as did our forefathers?

"Every practice, therefore, which tends to disturb the peace, good order, and quiet of that day—which tends to dishonor and bring reproach upon it, deprives the laborer of it as a day of rest, or interferes with or hinders the due religious observance of it by Christian people—is not only a sin against God, but an offence against government, and a crime against man, to be prevented or punished by the civil authority.

"The duty of the government to protect the Sabbath, and secure it to all as a civil right, has ever been acknowledged and acted upon by every Christian nation. The Church needs the Sabbath as a day of worship, and in the preservation and extension of its religious influence, as well as a means of grace, and a channel of communicating blessings to the world.

"Encouraged, therefore, by what has been accomplished by this local Committee, this Assembly recommends to the churches under its care, and to its ministers and ruling elders, increased watchfulness and zeal in securing the proper observance of the Sabbath, and the enforcement of all laws for its protection and preservation."

THE GENERAL ASSEMBLY OF THE PRESBYTERIAN CHURCH [N. S.] adopted the following minute, Syracuse, May 27, 1861 :

"*Resolved*, 1. That the Assembly have heard, with deep interest, the statements of the secretary of the New York Sabbath Committee, in regard to its plans and operations; and that they rejoice in the favor of Divine Providence which has so evidently attended its well-devised and energetic movements.

"*Resolved*, 2. That we commend anew the cause of the Sabbath to the churches under our care, as at all times worthy of a most hearty and earnest support, and as calling, in the present circumstances of the country, for special vigilance and fidelity. We would particularly urge it upon them that fervent prayer be offered, and all possible care be taken, that, even in troublous times, the precious day of the Lord be honored.

"*Resolved*, 3. That it be recommended to our churches to coöperate with the New

York Sabbath Committee in their praiseworthy designs, by any such expressions of sympathy or forms of effort as, in their several localities, may seem to them appropriate."

THE GENERAL SYNOD OF THE REFORMED DUTCH CHURCH, Brooklyn, June 12, 1861.

"*Resolved*, That the General Synod has heard with great pleasure and deep interest the statement of Rev. Mr. Cook on the subject of the efforts which have been made by the Sabbath Committee to rescue the holy Sabbath from desecration, and place it in its right position as a day which the God of this nation requires should be kept holy; and that we rejoice in the blessed results of these efforts, and that the Reformed Dutch Church stands pledged and covenanted with God and man in favor of this work."

TWO THOUSAND GERMANS IN COOPER INSTITUTE,

"*Resolved*, That we, as Germans, do solemnly protest against the perversion of Sunday from a day of rest and devotion into a day of noisy excitement and dissipation, which is only too frequent among some of our German countrymen, and brings dishonor on the German name; and that we request our fellow-citizens by no means to charge the fault of many upon the *whole* people and upon Germany, where for many years past noble efforts are successfully making towards the promotion of the better observance of Sunday.

"*Resolved*, That we regard the strict observance of Sunday which was introduced into this country with the very first settlements of European immigrants, and has ever since been the common custom of the land, by no means as a defect, but on the contrary as a great advantage and blessing to America, and we will cheerfully assist in keeping it up and handing it down to future generations.

"*Resolved*, That in the Sabbath Laws of this country, as they obtain in nearly every State of our great republican confederacy, we see nothing that conflicts with the cherished principles of civil and religious liberty; on the contrary, we regard them as one of the strongest guarantees of our free institutions; as a wholesome check upon licentiousness and dissipation, and as a preventative of the pauperism and crime which must necessarily undermine and ultimately destroy the liberty of any people."

DOCUMENTS OF THE SABBATH COMMITTEE.

No. 1. *The Sabbath as it was and as it is*, 8 pp.; 2. *Railroads and the Sabbath*, 16 pp.; 3. *News-crying and the Sabbath*, 16 pp.; 4. *The Sabbath in Europe*, 16 pp.; 5. *The Sunday Liquor Traffic*, 24 pp.; 6. *A Year for the Sabbath*, 16 pp.; 7. *Memorial Memoranda*, 40 pp.; 8. *German Document on the Sunday Liquor Traffic*, 24 pp.; 9. *German Sabbath Meeting at the Cooper Institute*, 24 pp.; 10. *The Broderie Sunday Pageant*, 16 pp.; 11. *Sunday Theatres and Beer Gardens*, 24 pp.; 12. *Progress of the Sabbath Reform*, 32 pp.; 13. *The Press of New York on the Law against Sunday Theatres*, 24 pp.; 14. *Sunday at the Central Park*, 8 pp.; 15. *The Civil Sabbath Restored*, 32 pp.; 16. *Second German Meeting at Cooper Institute*, 32 pp.; 17. *The Sabbath in War*, 4 pp.; 18. *Constitutional Basis of our Sunday Laws*, 4 pp.; 19. *Plea for the Sabbath in War*, 8 pp.; 20. *The Sabbath and the Pulpit*, 8 pp.—Nos. 8, 9, and 16 are in the German language. ADDRESS ORDERS TO No. 21 BIBLE HOUSE, NEW YORK.

THE SABBATH

AND

GERMAN BEER-GARDENS.

FROM "THE EXAMINER," JAN. 26, 1860.

HUME, with all his infidelity, allowed the indebtedness of British freedom to the Puritans. He must be strangely reckless or biased, who overlooks the services of that same class in shaping the liberties of our own country. And how great the stress which this godly body of men laid upon the Sabbath, in its connection with national prosperity, is seen, when we find one of their eminent preachers, Arthur Hildersham, in 1628, tracing out the origin of the calamities which were then visiting the Protestants of Germany and France. When the Thirty Years' War was ravaging the Palatinate, and bringing about the sack of Heidelberg; and those reverses were come upon French Protestantism which led to the fall of Rochelle, he found amongst the chief causes of these inflictions, the Continental profanation of the Sabbath. The ferocity of a Tilly, and the craft of a Richelieu, were thus, in his judgment, the scourges used by the Providence of God, to avenge the quarrel of his own desecrated day. And the Most High has, by Isaiah, promised to the people who revere His Sabbath, that they shall "RIDE ON THE HIGH PLACES OF THE EARTH;" or, in other words, that He will elevate them to influence, and speed them in the path of national advancement. Their victorious car shall climb safely, and traverse swiftly, the world's loftier eminences.

We hold, that not the churches only, but our community at large, owe much to the Sabbath Committee of this city for the calmness, firmness, and wisdom, with which they have pursued, amid difficulty and misrepresentation, their measures for the defense of the Christian Sabbath. They have happily united great moderation and courtesy of tone with singular resolvedness of purpose. The Eleventh of their documents is before us, bearing the title "SUNDAY THEATRES, 'SACRED CONCERTS,' AND BEER-GARDENS." It appears from it, as an illustration of the close connection between Vice and the Sunday Liquor trade, that since the Sunday Liquor shops have been generally closed, the arrests on that day, (once *more* numerous, by *twenty-five per cent.*, than those on Tuesdays) have become, by *thirty-three per cent.*, *less* numerous than the Tuesday commitments; and that the relative proportion of arrests, on both Sundays and Tuesdays, is one of *steady diminution*.

The pamphlet, then addressing itself next to the sources of remain-

ing Sunday disorder, takes up the Sunday Theatres, the misnamed "Sacred Concerts," and Beer-Gardens of our German immigrant population. The statistics of these seem to have been carefully obtained, and though presented with the sobriety of tone that happily marks the documents of our Committee, they are ominous and startling. The language of the Germans, who in October last convened in the Cooper Institute to protest against these Sabbath desecrations on the part of their countrymen, assures the American, that neither the old Fatherland, nor the whole body of its colonists to our shores, are in justice responsible for these abuses, now so diffusive and so rampant within our municipal borders.

Our existing enactments, and our ancestral, national usages, are alike in direct and grinding collision with these perversions of the Sunday's rest. It remains to be seen whether our laws, or the greed and riot that defy them, shall triumph. It is contended by the patrons and victims of these profanations, that all common and statute laws in defense of the Christian Sabbath are unconstitutional, and are equivalent to a National Establishment of Religion, which last we have, as a people, repudiated.

The objection will not hold. Our government, like every other, requires to its very existence a Morality, whether it do, or do not, accept the ritual and doctrinal creed of a Religion. The OUGHT is what lies, in the very constitution of government, at the base of the MUST. Moral obligation is the assumed foundation of Law. By inheritance and history, the overwhelming majority of our inhabitants, it will be found, receive, as the standard of their Morality, the Christian religion. The Jew, the Mohammedan, and Deist even, recognize also the need of a Morality; though adopting another standard of it than ours. Government, and we may say, Society itself, are impossible without this Morality. The vast mass of the nation accept the definitions and sanctions of the Gospel, as settling *their* views of what constitutes Morality. So far, the Christian Religion is a part of our Common Law. That part of morality which makes up the law of marriage, is not, with us, either Hebrew, or Pagan, or Mohammedan, or Mormon; it is distinctively Christian. So our courts of law suspend their action on the Christian Sabbath; and the great mass of the judicial oaths that are taken, are so taken on the Christian Scriptures, and by appeal to the Christian's God. The nation finds itself unable to manage the *visible* and *diurnal* affairs of earth, without taking hold upon the Invisible and the Eternal. The oath appeals, for the truth and sincerity of its utterer, to the Unseen and Everlasting One, the Hater of falsehood. The Sabbath rest takes repose from the cares and toils of the Earthly, in the consolations and antepasts of the Heavenly. The Marriage presents before the Lord and Giver of Life, the choice made by man of that companionship, in which, and by which, Life is to be solaced and perpetuated in our world. They are all—Oath, Sabbath, and Marriage—confessions of the dependence of man and man's government, upon something Higher—something beyond Time and above Man. They are like the loops that fitted the taches of the Hebrew tabernacle. Into these confessions of Human dependence, as into loops, are adapted and buttoned—so to speak—the sanctions and influences of a Divine Sovereignty. The

religious man takes both; the Morality, and the Religion supplementing the Morality. Government needs the Morality and takes it; but with the indistinct perception at the time, that Morality is something incomplete. It does not establish the Religion; but it must not, on the other hand, contravene and outrage and persecute the Religion. It is, as a government, not only entitled, but required to secure, by enactment and magistracy, the peaceful worship of its religious citizens from infringement and molestation by its turbulent and lawless members. This is a sufficient basis for Sabbath laws.

But, again, Society is entitled to recognize the *human* bearings of the Sabbath rest, on bodily health, and family order, and temperance, and civil virtue; and to foster, by explicit statutes, such Sabbath repose and Sabbath worship, heedless of the clamor of those, manifestly and notoriously disregarding all these personal and social boons.

And, again, Society is entitled, *on any day*, to inhibit practices prejudicial to health, morals or life. She may, from a regard to its pecuniary burdens, or its tendency to foster disease and crime, curb the liquor trade; and this, on any day of the seven. She may, if a certain class of amusements—be they betting, gambling, lotteries, cock-fighting, pugilism, or theatrical spectacles—are found of immoral and ruinous tendency, restrict, or, in her judgment of the expediency of it, may even abolish them. And this for certain days only, or for all days. And if these demoralizing recreations are, on one certain day, because of the larger numbers then at leisure, likely to have more than common scope for their baleful influence, and sweep into their nets a greater crowd of victims; then, it seems to us undeniable that Society is, on these seasons of especial exposure and temptation, bound to guard, with especial stringency, the throng of dupes from their remorseless spoilers. Now, the Christian Sabbath, from its suspension of the week's long toils, does thus make the harvest of Rapacity and Debauchery—if these last be left uncurbed—one of especial plentifulness. Society is, then, as the guardian of morality and thrift, bound to hedge up the way of Fraud and Riot on that day with a double strictness. And when that is—in addition to all these considerations for its defense—also, to multitudes of the nation, the day of devout communings with God, she is bound to see not only that Vice be foiled of its prey, but that Piety be shielded in its worship. And this she does, without adopting the Church, or giving Civil Endowment to the Religion.

The Church of the Living God, in her own voluntary membership and spiritual vitality, asks not—and would even shun—the patronage and livery and hire of the State. Permeating and interpenetrating the membership and citizenship of the State, she is yet, in her laws, spirit, and constituency, distinct. She is, in some sense, alien to all civil rule. She has “another King—one Jesus.” But, on the other hand, the State needs a Morality. She cannot, as a Republic, with any consistency, refuse to recognize the Morality which the majority of her citizens receive as the true and the Divine. That Morality, in the Christian system, is a portion—a vital portion indeed—but not the entirety of the Christian Religion. The State, as a State, takes for its secular uses the Morality; but is compelled also, in the oath, the rest-day, and the marriage-contract, to give a distant nod of

recognition to Religion, as furnishing the requisite sanctions of this Morality. But whilst the State, in mass, stops short with the Morality, the several citizens of the State, in their individual immortality, and in their accountability beyond the bounds of this world, have larger and more lasting wants than the collective State: they need personally, and of free conviction, to adopt the Religion. And without a large, active, prayerful and resolute body of such citizens, so holding individually the Religion, we think the Morality of the State will not be kept in working order. The State may indeed have no conscience of her own; but unless her citizens, many of them, keep a conscience, she is lost. Christ does not need the Republic. But the Republic needs Christ, as the base and bond of her Morality, without which she cannot shape or keep her political life. And every man, woman and child in the Republic needs the Christ, as the Ruler, Owner and Redeemer of the soul, for both worlds, and for all days, here and beyond. And He, the Thrice Blessed, invites them to His Salvation.

As those holding in high regard the memory of Luther, and the many worthies who have succeeded to his work—as using and revering the profound scholarship of German Universities—and as those who value the heartiness, frugality, and industry of our German immigrants, we must, yet in all earnestness, contend against the ruinous delusions to which many of these recent accessions to our population have yielded themselves as respecting the Christian Sabbath. What they denounce, as an undemocratic usurpation, we cherish, as an ancestral freedom—one of the corner-stones of Order, Liberty, and Morality. We welcome the new-comers, but it is not Materialism or Pantheism or Anarchy that we shall consent to include in the welcome. Baffled, many of them in their own land, why should they, the defeated revolutionists of that country, insist on recasting the successful revolution effected here by our forefathers? We have tested Liberty for well nigh a century, as a nation, and our British forefathers have known it long before. And the Christian Church has enjoyed the Sabbath for eighteen full centuries. Every year of our national existence has only deepened to the Christian patriots of these shores, their conviction that the disappearance of the Christian Sabbath would carry down into the common gulf our national liberties, our prosperity, and our peace. We do not, therefore, disguise the sorrow with which we behold, in any of our guests from the Old World, this reckless endeavor to hack the Ark of our political salvation into the kindling-wood of a holiday bonfire. And is this to be, only that by the light of it, men may guzzle lager-beer, gaze on frivolous or profligate spectacles, and listen to strains, sensuous at best, if not basely sensual? American Freedom was not so won: and we cannot affect indifference in seeing it so lost.

We will not believe that our magistracy will, to purchase votes, league themselves with this desecration. If they do, however, we shall not despair; for the God of Providence will still remain wiser than all their schemings, and mightier than all their alliances. And we trust that, under His potent benediction, the Sabbath Committee will serenely, strongly, and persistently, urge forward their holy work.

Sunday Vice and Crime.

The morality of the Sabbath is vindicated by the records of crime in all civilized lands. Justice McLean, of the Supreme Court of the United States, expressed a truth that is illustrated in the experience of all nations, when he said, "Where there is no Christian Sabbath, there is no Christian morality: and without this, free government cannot long be sustained." A kindred sentiment has just been uttered by one of our profound thinkers: "Every year of our national existence has only deepened to the Christian patriots of these shores their conviction that the disappearance of the Christian Sabbath would carry down into the common gulf our national liberties, our prosperity, and our peace. We do not, therefore, disguise the sorrow with which we behold, in any of our guests from the Old World, this reckless endeavor to hack the Ark of our political salvation into the kindling-wood of a holiday bonfire."

The condition of public morals in Sabbath-breaking countries may serve as a warning for us. Thus, the fact stated by the Registrar-General of Scotland that the official records of Births give but 4 per cent. of illegitimate children in London; while they are 32 per cent. in Milan; 33 per cent. in Paris; 35 in Brussels; 48 in Munich; and 51 in Vienna;—or an average of almost a thousand per cent. greater in Sabbathless than in Sabbath-keeping Capitals—would seem to demonstrate the unquestionable connection of two of the vices prohibited in the moral law.

That the whole catalogue of vices and crimes which infest society are similarly associated, though in various degrees, may be inferred from the statistics of crime, and the observation of Grand Juries and Magistrates. The Police returns of New York

City show that 87 per cent. of the arrests for drunkenness and crime in 1858, were of foreign-born citizens—mostly, it is believed, of the Sabbath-despising classes; whereas, our native-born population exceeds two-thirds of the whole.

It also appears that for a period of eighteen months, when the Sunday Liquor traffic was unrestricted, the arrests for drunkenness and crime on Sundays exceeded those on Tuesdays by twenty-five per cent.: but since the first of August, (*a period of seven months*) when the General Superintendent of Police ordered the Sunday Liquor shops to be closed, the average arrests for crime on *Tuesdays* have exceeded those on Sundays by sixty per cent.—or as 6,243 arrests on Tuesday, to 3,961 on Sunday—with a rapidly decreasing average on all other days. [The total falling off of arrests for the quarter ending Feb. 1, 1860, is stated by the General Superintendent to be 7,028, as compared with the previous declining quarter!]

But some of the principal sources of demoralization are still unchecked. The immense Beer-Gardens and Theatres, with their multiplied means of dissipation, folly and vice, are yet in full blast on every Sunday—with thousands, if not tens of thousands, of guests. The thin disguise of “Sacred Concerts” is thrown over much of this iniquity: but it is only the more offensive to good citizens and seductive to bad ones by the superadded hypocrisy of a “Sacred” name for an utterly secular and profane system of Sunday sports.

Till recently, this system was supposed to be peculiar to a part of our German population; but its immunity from interruption of Police authorities, and its profitableness, have prompted its introduction among the pastimes of our native population. Many large establishments have adopted its principal features, adding others more gross and corrupting than the German taste would tolerate. Besides “a double orchestra on Sunday Evening,” and every variety of stage performances extending from 7 to 12 o’clock—with the unconcealed and unrestricted flow of all kinds of liquors—“*Pretty Waiter-Girls*” in large numbers mingle with the guests, who are mostly apprentices and homeless lads, to drug their bodies and souls, and to stimulate passions that the Sabbath and the Law of God were made to curb and control.

A single advertisement of one of these establishments—by no means the largest or most seductive—will show the unblushing

iniquity of the *American Sunday Rum-Garden System*; and may foreshadow the utter overthrow of all the barriers of morality and religion when a continental holiday-Sunday shall have become *naturalized*, instead of our *American Sabbath*.

SUNDAY "GAIETIES" ON BROADWAY.

[*Fac simile of Advertisement in the SUNDAY HERALD, Feb. 26, 1860.*]

AMUSEMENTS.

600 BROADWAY. 600 BROADWAY.
THE GAIETIES.

The
GAIETIES,
GAIETIES,
No. 600 Broadway,
No. 600 Broadway,
THE MODEL CONCERT ROOM
THE MODEL CONCERT ROOM
OF THE WORLD,
OF THE WORLD,

IS OPEN EVERY EVENING,
IS OPEN EVERY EVENING,

with a first class Company.

OBSERVE.

The ladies and gentlemen attached to the
GAIETIES,

are engaged on the score of ability alone,
without regard to expense,
and form, numerically, individually and artistically,

THE EXCELSIOR COMPANY
OF THE WORLD.

SEE THE NAMES.

Miss CECILIA MORLEY,
the only really artistic Vocalist in the
profession.

Miss L. LEONORA,
the beautiful and accomplished Danseuse.

Miss ADA JOHNSON,
the pretty Danseuse and Comedienne.

Mr. EDWARD BERRY,
the acknowledged best comic singer in America.

Mr. W. SMITH,
the best bone player in the world and Ethlopan
comedian.

DICK WATKINS,
the best delineator of Dutch éccentricity ever
seen.

Mr. R. HART,
the popular comedian and vocalist.

Mons. GREGOIRE,
Mons. GREGOIRE,

the modern Hercules, whose astounding
feats of strength excite the wonder of all
beholders.

Messrs. FRANK WYANT,

G. WILSON,

F. LUSK,

G. A. KELLY,

H. WOOD,

T. BAILEY,

and others, the entire company numbering over
FORTY PERFORMERS.

Who appear every night in a grand miscellaneous
entertainment. Also a select and appropriate
Concert every

SUNDAY EVENING.

SUNDAY EVENING.

On which occasion a Double Orchestra is engaged,
under the able direction of Prof. Gusemau.

THE YOUNG LADIES

THE YOUNG LADIES

who attend to the wants of visitors, are another

attractive feature at this establishment; their prepossessing appearance and polite and affable behavior is acknowledged by all visitors.

Admission only 13 cents.

Miss MORLEY will sing the "Dashing White Sergeant," in appropriate costume, every evening this week, at the Gaieties, 600 Broadway; admission 12 cents.

Misses LEONORA and ADA JOHNSON will appear in beautiful double dances every evening at the Gaieties, 600 Broadway, a few doors above Niblo's.

EDWARD BERRY, the best Irish comic singer living, will sing every night at the Gaieties, 600 Broadway, a few doors below Laura Keane's theatre. Admission only 13 cents.

The Gaieties, 600 Broadway, is the only place of amusement in the city where visitors are accommodated with cushioned sofa seats, ease and elegance combined, at the Gaieties, 600 Broadway.

W. Smith will play his celebrated "Bone Fantasia."

Gaieties Concert Room, 600 Broadway.

PRETTY WAITER GIRLS.

E. Berry, E. Berry, E. Berry, E. Berry, E. Berry.

Unparalleled attraction at the Gaieties.

PRETTY WAITER GIRLS.

Dick Watkins, Dick Watkins, Dick Watkins.

Best concert hall in the world.

PRETTY WAITER GIRLS.

W. N. Smith, W. N. Smith, W. N. Smith,

The champion bone player of America.

PRETTY WAITER GIRLS.

He can be seen every night at the Gaieties.

R. Hart, E. Hart, R. Hart, R. Hart,

PRETTY WAITER GIRLS.

the eccentric Ethioipan comedian.

Miss Morley, Miss Morley, Miss Morley,

PRETTY WAITER GIRLS.

justly styled the American nightingale.

Addie Johnson, Addie Johnson, Addie Johnson,

PRETTY WAITER GIRLS.

the beautiful and accomplished danseuse.

Mlle. Leonora, Mlle. Leonora, Mlle. Leonora,

PRETTY WAITER GIRLS.

the charming danseuse, the charming danseuse.

All of the above stars and others

PRETTY WAITER GIRLS.

appear at the Gaieties every night.

This is the only place in New York

PRETTY WAITER GIRLS.

where you can enjoy a nice sofa seat

and see one of the best performances

PRETTY WAITER GIRLS.

ever presented to a New York audience.

Good music, good singing, good dancing

PRETTY WAITER GIRLS.

by a good company, every night, at the Gaieties.

New novelties produced in rapid succession

PRETTY WAITER GIRLS.

at the Gaieties, 600 Broadway, every night.

Fun without vulgarity. Wit and Humor

PRETTY WAITER GIRLS.

characterize the performances at the Gaieties.

Dick Watkins will unroll his budget of

comicalities.
PRETTY WAITER GIRLS.
 at the Gaieties, 600 Broadway, every night.
 Bill Smith will give you the original Rob Ridley
PRETTY WAITER GIRLS.
 every night at the Gaieties, 600 Broadway.
 Ed. Berry will tell you about Alonzo & Imogene
PRETTY WAITER GIRLS.
 Every night at the Gaieties, 600 Broadway.
 R. Hart, the mirth-provoker and side-splitter,
PRETTY WAITER GIRLS.
 will give you his new song and dance every night.
 Gaieties Concert Room, 600 Broadway.
PRETTY WAITER GIRLS.
 Polite and attentive to the wants of visitors.
 In active rehearsal and will soon be produced
PRETTY WAITER GIRLS.
 an entirely new and original Burlesque,
 written by Mr. Edward Berry, expressly for
PRETTY WAITER GIRLS.
 the Gaieties Concert Room, 600 Broadway.
 England, Ireland, Germany, Scotland and Africa,
PRETTY WAITER GIRLS.
 every night at the Gaieties, 600 Broadway.
 The Dutch Duet, with Organ accompaniment,
PRETTY WAITER GIRLS.
 every night at the Gaieties, 600 Broadway.
 Miss Morley will sing the song of the Seventh,
PRETTY WAITER GIRLS.
 every night at the Gaieties, 600 Broadway.
 The trials and misfortunes of Hans Dookrich,
PRETTY WAITER GIRLS.
 at the Gaieties Concert Room, 600 Broadway.
 The Original McDill Darrall Brothers,
PRETTY WAITER GIRLS.
 by the two Dromios, W. N. Smith and R. Hart.
 He lost his pocket-book. He Did,
PRETTY WAITER GIRLS.
 full of Gold One Dollar Bills.
 The Dutch Drill—The Dutch Drill,
PRETTY WAITER GIRLS.
 at the Gaieties Concert Room, every night.
 I'll Sing You a Song Yat You All would Like to
 Hear,
PRETTY WAITER GIRLS.
 at the Gaieties, 600 Broadway, every night.
 My Song is of a Nice Young Man,
PRETTY WAITER GIRLS.
 whose name was Peter Gray.
 St. Anthony Sat on a Lowly Stool,
PRETTY WAITER GIRLS.
 A Large Black Book He Held in His Hand,
PRETTY WAITER GIRLS.
 Dick Darling, the Merry Cobbler,
PRETTY WAITER GIRLS.
 at the Gaieties, 600 Broadway, every night.
 In Dixie's Land I'll Take my Stand,
PRETTY WAITER GIRLS.
 I'll Live and Die in Dixie.
 Double orchestra, double orchestra, double
 orchestra,
PRETTY WAITER GIRLS.
 at the Gaieties Concert Room, 600 Broadway.

Prof. Guseman, Leader; Prof. Guseman, Leader
PRETTY WAITER GIRLS.
 Of the double overture, of the double overture.
 Admission, admission, admission, admission,
PRETTY WAITER GIRLS.
 Admission, admission, admission,
 13 cts. 13 cts. 13 cts. 13 cts. 13 CENTS.
PRETTY WAITER GIRLS.
 13 cts. 13 cts. 13 cts. 13 cts.,
 To see the immense entertainment
PRETTY WAITER GIRLS.
 At the Gaieties Concert Room, 600 Broadway.
 Come, come, come, come, come, come,
PRETTY WAITER GIRLS.
 Come, come, come, come, come, come
 To to to to to to to to to to to to to to to to
PRETTY WAITER GIRLS.
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PRETTY WAITER GIRLS.
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PRETTY WAITER GIRLS.
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 Broadway, Broadway, Broadway, Broadway,
PRETTY WAITER GIRLS.
 Broadway, Broadway, Broadway, Broadway.
 The elite and bon ton of society
PRETTY WAITER GIRLS.
 visit the GAIETIES, 600 Broadway,
 and all say it is the best place—
PRETTY WAITER GIRLS.
 of amusement in the city.
 None but the best talent
PRETTY WAITER GIRLS.
 are engaged at the Gaieties.
 Our motto is, We fear no Competitors,
PRETTY WAITER GIRLS.
 and defy all imitators.
 Song and Chorus—Our Union, Right or Wrong,
PRETTY WAITER GIRLS.
 is sung nightly at the Gaieties, 600 Broadway.
 Let those laugh who never laughed before,
PRETTY WAITER GIRLS.
 and those that have, now laugh the more.
 Irrepressible conflict of laughter,
PRETTY WAITER GIRLS.
 for which there is no help.
 If you come once you will come again,
PRETTY WAITER GIRLS.
 for the performance is never twice the same.
 A varied entertainment nightly.
PRETTY WAITER GIRLS.
 At the Gaieties things are conducted rightly.
 An efficient officer always in attendance.
PRETTY WAITER GIRLS.
 at the Gaieties, 600 Broadway.
 Sacred Concert. Sacred Concert. Sacred Concert.
PRETTY WAITER GIRLS.
 SUNDAY EVENING. SUNDAY EVENING.
 SUNDAY EVENING.
 Admission.....13 cents

Defeat of the Anti-Sunday Law Movement.

Notices of Bills for the repeal of laws restraining Sunday Liquor selling and Sunday theatricals, were given in both Houses, as soon as the Legislature of 1861 was organized. Petitions were presented with 6,603 signatures from New York, and 1,160 from Kings County—about half as many as there are of dealers in liquor and lager in those cities. But a comparison of 881 names on the New York Petitions with the City Directory (which contains 150,303 names) showed that only 219 of the signers were registered as citizens, of whom 94 were dealers in liquor, segars, and kindred occupations, interested in Sunday profits. More than 100 names were written by the same hand in blue ink.

These bills and memorials were referred to the Committee on Cities and Villages, a majority of the committee representing New York and Brooklyn. After several hearings, the specific action prayed for failed to receive the sanction of the committee: but a majority reported a bill exempting "lager beer, ale, and other malt liquors" from the operation of Excise and Sunday Laws; and declaring that "*the sale of lager beer, ale, and all other malt liquors shall henceforth be lawful upon any day of the week.*" The minority of the Committee thereupon presented the following able and conclusive Report. Happily, Mr. Webster, of the *Sixth* Assembly District, N. Y., brought forward his pet measure, April 9, and gave the House an opportunity to record its vote in reprobation of the Sunday Beer Garden system. Mr. Webster's Bill was *laid on the table*. Ayes 70, nays 23. Of the negative votes, 18 were given by members from New York and vicinity.

No. 114.

IN ASSEMBLY,

March 25, 1861.

MINORITY REPORT

Of the Committee on the incorporation of cities and villages relative to the Sunday liquor law.

The undersigned, a minority of the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to repeal an act to preserve the public peace and order on the first day of the week, commonly called Sunday," and parts of other acts referring to the sale of intoxicating liquors on that day, and the several petitions accompanying the same, have not been able to reach the conclusions arrived at by the majority of the said committee, in reporting the bill entitled "An act to amend the laws of this State in relation to the sale of liquors," and ask leave to present the following

REPORT:

That the bill introduced by the majority of the committee, while it applies to the whole State, and is intended to legalize everywhere within its jurisdiction the sale of "lager beer, ale, and all other malt liquors" on Sunday, is specially designed to reopen the theaters, and legalize the beer gardens, and lager saloons of New York city to the German population, for the purpose of engaging in practices and amusements incompatible with a quiet and profitable observance of the day, and only known or tolerated in the most immoral cities of Continental Europe.

The fact that distilled liquors are not included, does not change the character of the bill, nor lessen the objections to its passage. The practice of adulterating the commonest drinks with stimulating and deadly compounds, gives to the beer drinker the means of grati-

fyng, to the fullest extent, his depraved tastes; the flood-gates of intoxication, immorality and vice will be opened, and the Christian Sabbath be degraded to a Pagan holiday if the beer garden shall become an American institution, and the sale of malt liquors therein on Sunday, be authorized and protected by law.

Besides, the Court of Appeals, in the case of the Board of Commissioners of Excise of Tompkins county, against James B. Taylor and John C. McWhorter, submitted Jan. 11, 1860, at Albany, decided that strong beer is within the meaning of the terms "strong and spiritous liquors," in statute, chap. 628, of 1857, to suppress intemperance.

The following extract from the opinion of *Welles, J.*, shows the light in which the sale of strong beer upon any day is regarded by that court :

"Now, that ale, strong beer, porter, and most of the fermented drinks known in this country, and which are sold at public houses and groceries by the drink, can and do produce intoxication to a greater or less extent, and that such is the ordinary effect of their use as a beverage, no man of mature years, who is not strangely oblivious to surrounding and passing events, can have failed to observe. The fact is so patent that it is impossible to close our eyes against it. There is, in my opinion, one aspect in which the unrestrained sale of such liquors by the drink is far more injurious than that of distilled liquors. I allude to the temptation it presents to the reformed or reforming inebriate, who will much more readily yield to a draught of the former than of the latter, and thus fall a hopeless victim to the appetite which he had well-nigh conquered."

Any conversion of Sunday to the purposes of traffic, or to amusements that interfere with the rest and worship to which the day has been devoted throughout most of the civilized world, is especially distasteful to the people of this State, and opposed to the spirit of American institutions and laws.

The history of our legislation for the protection of the civil Sabbath dates back to the earliest period of the Dutch colony of New Amsterdam. The decrees of Peter Stuyvesant in 1647 '48; "the conditions of the Burgomasters of Amsterdam in 1656; the laws of the Duke of York in 1664; the charter of liberties in 1683; the colonial statute of 1695, in force when our State constitution was adopted in 1777; the State law of 1788, and the Revised Statutes of 1813 and 1836, are all concurrent in their provisions for the conservation of a day of rest and worship, and

their prohibition of demoralizing traffic and pastimes. Some of the colonial acts fail to discriminate as to the just limitations of the civil Sabbath, but those of recent enactment aim solely to secure to all classes, and especially to laboring men, their inalienable right to a weekly season of repose; to the religiously inclined an opportunity for undisturbed devotions, and to the whole community the withdrawal of temptation to dissipation, vice and crime, so that the period of recreation may not be perverted from its beneficent design into a scandal and a curse.

These laws have been self-imposed, impartial, and consistent with the genius of our free institutions. They are humane in their bearing on the poor, just in their constraint of self-cupidity, and indispensable as a guard for public morals. They tend to promote the health, wealth and virtue of the people; they foster the spirit of reflection, self-control, and conscientiousness which befit republican freemen; and they strengthen the basis of our self-governing institutions, for, says Justice McLean, of the Supreme Court of the United States, "where there is no Christian Sabbath, there is no Christian morality, and without this, free government cannot long be sustained." To the same effect is Washington's farewell counsel to his countrymen; "of all dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens."

The present Sunday laws are represented by those who petition for their repeal "as a source of great grievance," though it is not stated on whom the "grievance" falls, nor what its nature is. If it affects the pocket, it is a "grievance" common to all traffic and professions, and forms a part of the self-imposed contributions made by good citizens to public and social order and the general good. If it falls alone upon the dealers in liquors, and the keepers of concert halls and theatres, their complaint would be entitled to more consideration were it not notorious that most of these parties have been in the attitude of open and combined resistance against all the laws of the State affecting their interests, *on all days of the week*; and that their avocation stands in the unhappy relation of the demonstrated cause of a sad proportion of the pauperism, taxation and crime of the State.

But it is from the city of New York that the demand is made

for abrogating the whole or any part of the Sunday laws. The history and results of the operation of these laws will throw some light on the question of repealing them.

Owing to various causes, the safeguards of the Sabbath became inoperative, and a rapid declension in public order and morals on that, as on other days, took place. From the period, thirty years since, when no police was needed or kept on Sunday, the degeneracy became so considerable as to involve a large excess of drunkenness and crime on that day above the other days of the week; thousands of dram shops disobeying by common consent the law requiring a license for their traffic on all days, took special *license* to drug the people on the Lord's day. Scores of theatres and beer gardens, scarcely self-supporting on week days, were crowded and profitable on Sunday. "Concert halls" and saloons in the most prominent thoroughfares of the city, attracted thoughtless youths by scandalous songs, dances and plays, and by glaring advertisements of "Pretty waiter girls"—women of the town, publicly kept and advertised. The system was a disgrace to civilization and a mockery to virtue and religion.

The moral sense of the community was justly shocked, and the apprehensions of right-minded citizens found varied expression. Successive grand juries exposed and reprobated these shameless evils. The public press, of every shade of political sentiment, with great ability and firmness discussed its enormity. Public sentiment evidently demanded its suppression. Two years ago a memorial was addressed to the Metropolitan Police Commissioners, signed by about six hundred of the best known and most influential of the tax-payers of New York, demanding protection and relief from the demoralizing influence of the Sunday liquor traffic, setting forth, among other things, the alarming fact that by the record of their own department, the arrests for drunkenness and crime during the preceding eighteen months had been twenty-five per cent. greater on Sunday than on other days of the week, and charging this excess to the traffic in question. The Commissioners *unanimously* resolved: "That present abuses in disregarding the Sunday law, particularly in public exhibitions on Sunday, and trafficking in liquors and other things, should, as far as the law allows, be prevented by the whole power of the police force and of the magistracy." A month later (August, 1859,) the general superintendent issued a general order to the above effect, and the attention of the department has since been

directed to the suppression of that evil. The open traffic has nearly ceased, and sufficient time has now elapsed to test the extent of the "grievance" to the community at large, and to the interests of public morals.

The result, so far as the statistical records of the police department are concerned, may be given in few words: During the eighteen months from August 1, 1859, to February 1, 1860, the total number of arrests on Tuesdays—taken as the average of the week days—has been 15,503, and for the Sundays of the same period 10,483, showing an excess of arrests on Tuesdays over Sundays of 5,020, or nearly fifty per cent. But had the ratio continued the same as during the period of uninterrupted liquor sales on Sunday, the arrests on Sunday would have been 19,137, showing a relative gain by the enforcement of the Sunday liquor law of *nearly ninety per cent.*, or as 19,137 to 10,483. Is that a "great grievance"? To whom? Not to the police or the magistracy, or the tax-payers, or the home circle, or the public? To whom then?

If it be a "grievance" that the hard earnings of poor Germans and others are retained in their pockets to support their households during a winter of want, instead of passing through their eyes or their throats into the purses of theatre keepers and lager bier brewers, it is one of which they, much less their wives and children, do not complain; and it is not apparent that complaints from their tempters to folly and drunkenness should affect the legislation of the State.

We are not unaware that the laws complained of seem to a portion of our citizens who have come to us from continental Europe as interfering with the Sunday pastime to which they have been accustomed, and some sympathy undoubtedly exists among a part of our people with the idea of a holiday observance of Sunday. We have nothing to do with differing views as to the theory of the Sabbath. It is enough that by immemorial law and usage, and general popular conviction, our civil Sabbath is so fixed as an institution of the State and of the country, as to impress every observant foreigner. Every European book of American travels recognizes the fact. An eminent French resident (Duponceau) once asserted, that "of all we claimed as characteristic, our observance of the Sabbath is the only one truly national and American, and for this cause if for no other, he trusted it would never lose its hold on our affections and patriot-

ism." This view strips lawless invasions of our customs and convictions in this behalf of all apology or defence. Emigrants from other lands knew, or might have known, that our Sunday is kept as a day of rest and worship, and that the pastimes of Paris or Vienna are not tolerated here. We open our doors to all comers to the fullest enjoyment of all the liberties enjoyed by our own citizens—all that consist with the safe working of a free government. But vices and habits which we have found necessary to restrain in ourselves, we cannot consent to legalize for others.

It is not true, however, that the German population is a unit on this question. To the lasting exaltation of the German character, thousands and thousands of emigrants, while their hearts swell with loyalty and love as they recall the memories and recount the history of their fatherland, have left behind them the habits and the amusements which another age engrafted upon the sturdy virtues which form the basis of the German character.

These men, upon reaching our shores, and assuming the duties and responsibilities of American citizens, place themselves voluntarily under the restraints and within the protection of our laws, and seek to secure to themselves and the whole German population the blessings of a higher civilization, by sustaining those civil institutions which protect the people from the assaults of licentiousness and crime.

These men constitute to-day a large portion of the German population of New York, and they are daily making converts to the cause of temperance and morality, and the strict observance of the Sunday laws; a portion of which the bill reported proposes to repeal.

These men are establishing libraries, founding schools, building churches, and have entered into the work of human reformation and improvement with an earnestness which has already met its reward, and which promises the most distinguishing success. The principal opposition to their benevolent efforts is made by those who wish to plant in the soil of freedom, and in the sunshine of public favor, vices which once rooted, only the strong arm of absolute power can prevent from overrunning the land.

The repeal of any portion of the Sunday laws, whereby beer gardens and lager saloons may be legalized on that day, would be an act of injustice to the men who are endeavoring to win their countrymen from the Sunday pastimes to which they have been

accustomed, and enlist them in the support of those institutions of learning and religion which exalt the race, and constitute the glory of the present century.

It would be unjust to all those branches of trade which remain under the restriction of Sunday laws. "If a few establishments, or a privileged traffic, may profit by the general suspension of business,—perverting the very restraints by which morality and religion hold back the masses from labor into a source of pecuniary advantage to themselves—it is easy to see that injustice is done to the mass of good citizens who yield obedience to law. Competition may drive others to engage in Sunday trading, until the Sabbath itself is obliterated, and all protection of the rights of the laboring classes to a season of rest and devotion shall be swept away.

"On what ground then shall the traffic in beer, with noisy and immoral accompaniments, claim a practical and recognized exemption from the operation of these laws, and a virtual monopoly of Sunday trade? Was it in the interest of lager-beer dealers that the laws of the Republic caused the wheels of commerce to cease rolling, and all branches of human industry to suspend their activities, one-seventh part of each week?"

It would be unjust to all those cities in which the presence of policemen are necessary to keep the peace, preserve order, and prevent the violation of city laws and ordinances; because an extra force and greater vigilance are found to be necessary on those days when the people, released from the restraints of labor, are more prone to indulge in immoral pastimes and guilty pleasures. On those days, therefore, if on no other, the temptation to evil should be withdrawn, and the steps of the thoughtless and unwary be protected by all the safeguards which law can throw around them.

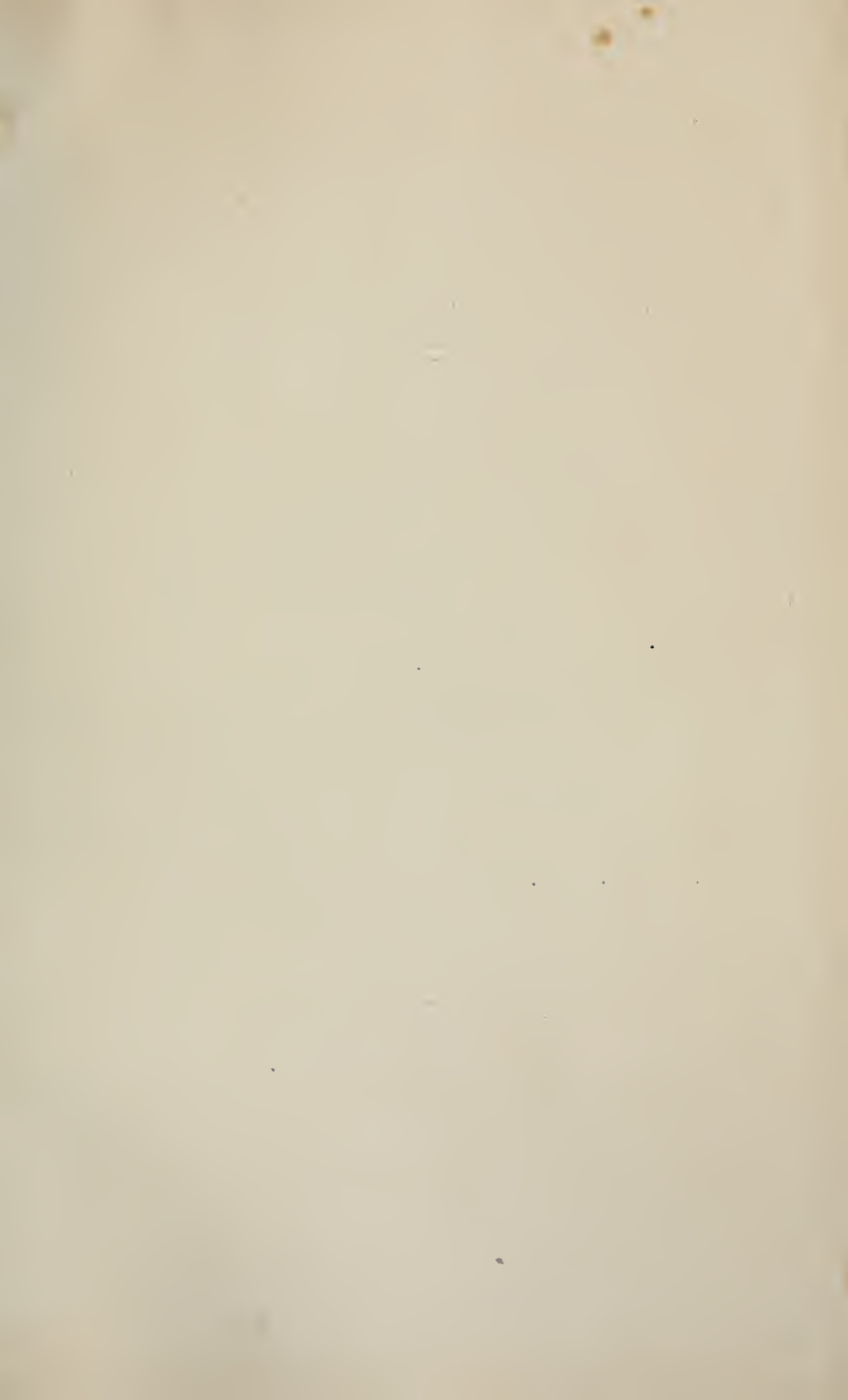
It would be unjust to the people of the rural districts, none of whom desire this change in the Sunday laws, and all of whom are in favor of devoting the civil Sabbath to rest and worship.

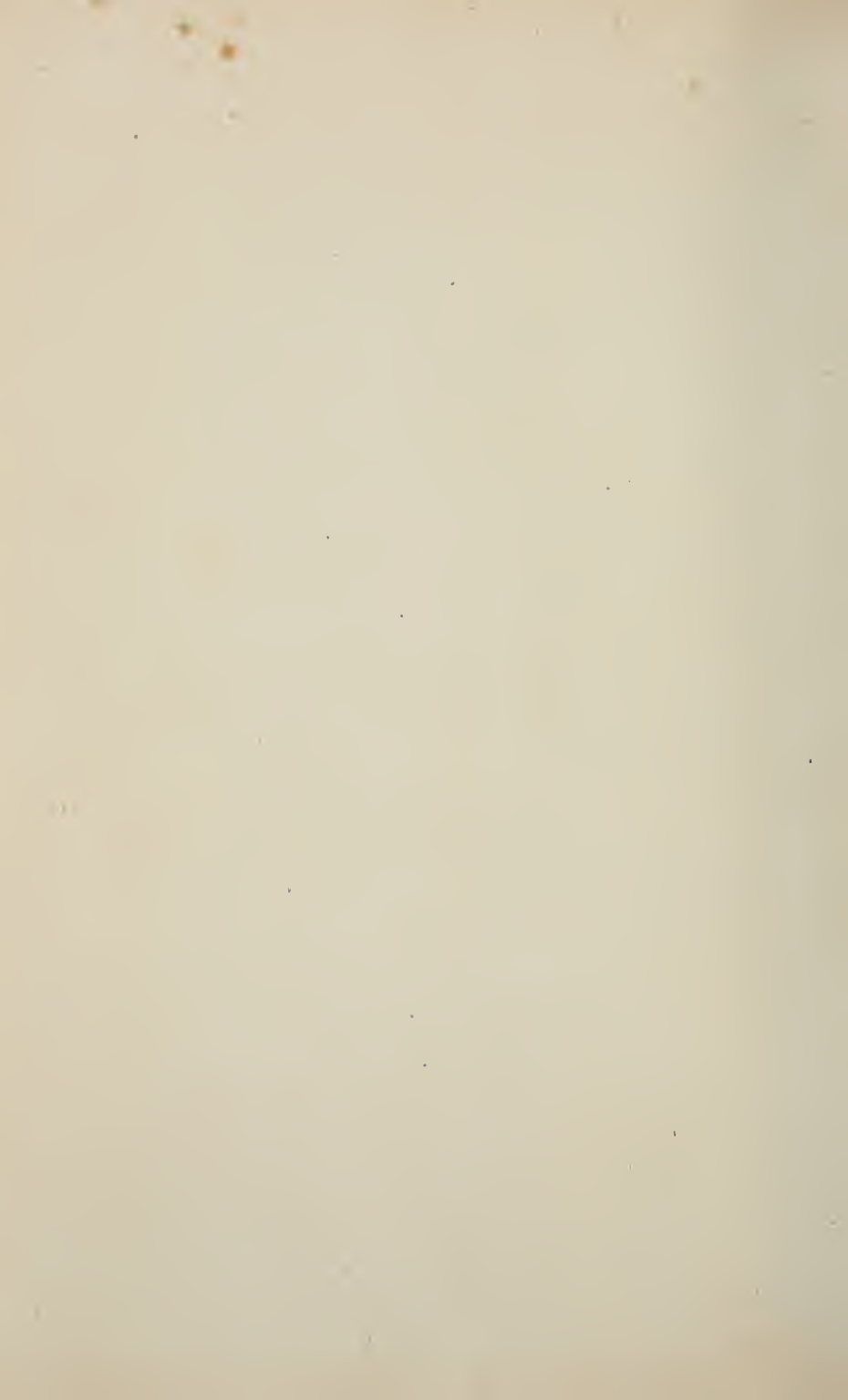
It would be unjust to the Christian members of the community whose worship would be disturbed and feelings outraged if this demoralizing traffic shall be permitted on a day consecrated to the service of their Lord and Master.

In view, then, of the fact that the repeal of any portion of the laws in question would involve a departure from the legislative policy of this commonwealth for more than two centuries; that it

would contravene the known convictions of the great body of good citizens in all parts of the State, as it would be abhorrent to the moral sense of the entire Christian community; that it would encourage a spirit of lawlessness, immorality and vice; that it would remove the barriers protecting the laboring poor from their tempters to drunkenness and folly, and that it would arrest the progress of reform in manners and morals which has inspired hope for the metropolis throughout the civilized world—we submit that the bill reported by the majority of the committee ought not to pass.

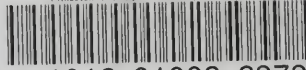
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